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This Volume is presented by the
Lords Commissioners of His Majesty's Treasury
to the Rt. Hon. J. Bryce M.P.

*His Majesty's Stationery Office,
Westminster.*

Act, Brit. Laws, statutes, etc. Compilations.

THE
STATUTORY RULES AND ORDERS
REVISED,

BEING THE STATUTORY RULES AND ORDERS (OTHER THAN
THOSE OF A LOCAL, PERSONAL, OR TEMPORARY
CHARACTER) IN FORCE ON

DECEMBER 31, 1903.

VOL. VIII.

LOCAL TAXATION GRANT

TO

MONEY LENDER.

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P R E F A C E.

THIS the Second Edition of the Statutory Rules and Orders Revised, contains all the Statutory Rules and Orders of a Public and General character, and the Orders in Council and Letters Patent issued under the Royal Prerogative which affect the Constitutions of Colonies, regulate Appeals to His Majesty in Council, or make Laws as to Colonial Currency in force on December 31st, 1903.

The work has been edited by Mr. Alexander Pulling, of the Inner Temple, under the direction of the Statute Law Committee, and with the assistance of the Government Departments concerned in making the Orders.

Following the arrangement of the first edition and of the volumes which have been published annually commencing with the year 1890, the Orders have been arranged under Titles and sub-titles which are the headings and sub-headings of law to which the Orders relate, the sequence of the Titles being alphabetical.

In two respects the plan differs from that previously employed:—Each Title has a separate pagination and can be obtained separately apart from the complete edition, and the Prerogative Orders have been printed under the title to which they pertain instead of as in former volumes being relegated to an Appendix.

Throughout the work each Title corresponds to a Title in the Index to the Statutes in Force and to a Title in the Index to the Statutory Rules and Orders in Force, so that any person referring to the same Title in the three works can ascertain what Statutory Power of making Orders exists, and whether and how such Power has been exercised.

A new edition of the Index to the Statutes in Force is published every autumn revised to the end of the last Session of Parliament.

A new edition of the Index to the Statutory Rules and Orders in Force, revised to December 31st, 1903, has been published simultaneously with the present Volumes.

The Statute Law Committee are much indebted to the assistance which has been rendered by the various Government Departments in the compilation of this work.

It is requested that any suggestions or corrections may be addressed to Alexander Pulling, Esq., 2, Harcourt Buildings, Temple.

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LOCAL TAXATION GRANT.*

TREASURY MINUTE, DATED NOVEMBER 4, 1896, PRESCRIBING REGULATIONS AS TO THE PAYMENTS TO BE MADE BY THE COMMISSIONERS OF INLAND REVENUE TO THE LOCAL TAXATION ACCOUNTS FOR ENGLAND, SCOTLAND, AND IRELAND UNDER THE AGRICULTURAL RATES ACT, 1896, THE AGRICULTURAL RATES, CONGESTED DISTRICTS AND BURGHES LAND TAX RELIEF (SCOTLAND) ACT, 1896, AND THE LOCAL TAXATION (IRELAND) ESTATE DUTY ACT, 1896.

1896. No. 929.

My Lords read Section 2 of the Agricultural Rates Act, 1896 (59 & 60 Vict. c. 16.), Section 3 of the Agricultural Rates Congested Districts and Burghes Land Tax Relief (Scotland) Act, 1896 (59 & 60 Vict. c. 37.), and Section 1 of the Local Taxation (Ireland) Estate Duty Act, 1896 (59 & 60 Vict. c. 41.).

Section 2 of the Agricultural Rates Act, 1896, provides as follows:—

- (1.) In respect of the deficiency which will arise from the provisions of this Act in the produce of rates made by the spending authorities in England, as herein-after defined, there shall during the continuance of this Act† (*i.e.*, the period of five years after the 31st day of March, 1897)—
 - (a) be paid to the Local Taxation Account an annual sum (in this Act referred to as the annual grant) of such amount as is certified under the provisions herein-after contained; and
 - (b) be issued from the Local Taxation Account by half-yearly payments out of the annual grant to each such spending authority a share of that grant of such amount as is certified under the provisions herein-after contained.
- (2.) The Commissioners of Inland Revenue, in such manner, by such payments, and under such regulations as the Treasury direct, shall pay to the Local Taxation Account, out of the proceeds of the estate duty derived in England from personal property, the annual sum required by this section to be paid to that account.

* See also Regulations of the Secretary for Scotland, dated November 11, 1902, for the distribution of the contribution from the Local Taxation Account to the cost of Sanitary Officers, printed under the title "Public Health, Scotland."

† Continued until the 31st day of March, 1906, by Section 1 of the Agricultural Rates Act, 1896, &c., Continuance Act, 1901. (1 Edw. 7, c. 33).

- (3.) The first of those payments shall be made during the six months ending on the thirty-first day of March next after the passing of this Act, so as to make up a half-yearly payment to meet the issues to spending authorities on account of the six ensuing months.

Section 3 of the Agricultural Rates, &c. (Scotland) Act, 1896, is as follows:—

- (1.) During the continuance of this Act, the Commissioners of Inland Revenue, in such manner, by such payments, and under such regulations as the Treasury may direct, shall pay to the Local Taxation (Scotland) Account, out of the proceeds of the estate duty derived in Scotland from personal property, such sums as may be ascertained by the Treasury to be equal to eleven-eightieth parts of the sums payable under the Agricultural Rates Act, 1896, to the Local Taxation Account therein mentioned.
- (2.) The first payment under this section shall be made during the six months ending on the 31st day of March next after the passing of this Act, so as to make up a half-yearly payment to meet the payments out of the Local Taxation (Scotland) Account, which may be made during the six ensuing months.

Section 1 of the Local Taxation (Ireland) Estate Duty Act, 1896, is as follows:—

- (1.) During the continuance of this Act the Commissioners of Inland Revenue in such manner, by such payments, and under such regulations as the Treasury may direct, shall pay to the Local Taxation (Ireland) Account, within the meaning of the Probate Duties (Scotland and Ireland) Act, 1888, out of the proceeds of the estate duty derived in Ireland from personal property, such sums as may be ascertained by the Treasury to be equal to nine-eightieth parts of the sum payable under the Agricultural Land Rating Act, 1896, to the Local Taxation Account therein mentioned.
- (2.) The first payment under this section shall be made during the six months ending on the thirty-first day of March next after the passing of this Act, so as to make up a half-yearly payment applicable during the six ensuing months.

Section 1 (1) of the Agricultural Rates Act, 1896, provides that the Local Government Board shall certify the amount of the annual grant to be paid to the Local Taxation Account in respect of the deficiency in the produce of the local rates arising from the provisions of the Act; and for this purpose returns involving the obtainment of many details have to be made to that Board.

Section 4 (2) further enacts that provisional certificates may be given by the Local Government Board, if necessary,

for the purpose of enabling the first payments to and out of the Local Taxation Account to be made, before they have sufficient information to enable them to give final certificates.

It will be remembered that for the purposes of the Budget the amount of the annual deficiency in the local rates to be made good was approximately estimated at 1,560,000*l.*, and consequently on that basis the amounts annually due to the Local Taxation Accounts of Scotland and Ireland, which are severally $\frac{11}{80}$ ths and $\frac{9}{80}$ ths of the amount payable to the Local Taxation Account of England will be 214,000*l.* and 176,000*l.* respectively. It follows, therefore, that on the same estimate the amounts payable to the Local Taxation Accounts in the current financial year may be taken to be—

					£
England	-	-	-	-	780,000
Scotland	-	-	-	-	107,000
Ireland	-	-	-	-	88,000
					<hr/>
Total	-	-	-	-	975,000
					<hr/>

With the view of giving effect to the intentions of Parliament, my Lords proceed to make the following regulations with regard to the current and future years:—

I.

England.

The Commissioners of Inland Revenue shall, out of the proceeds of the Estate Duty derived in England from personal property, pay to the Local Taxation Account at the Bank of England, in order to meet the issues therefrom to spending authorities on account of the six months following the 31st March, 1897, one-half of the sum which the Local Government Board may certify to be the amount of the annual grant due to the Local Taxation Account under the Agricultural Rates Act, 1896.

The transfer of the above sum to the Local Taxation Account shall be made by the Commissioners of Inland Revenue by means of periodical payments; and such payments may be made by them “on account,” in anticipation of the issue of a certificate by the Local Government Board.

These payments “on account” shall be made at a rate not exceeding 780,000*l.* for the current half year, being the sum estimated as likely to be needed for England for that period; and the last payment required to complete the half-yearly grant shall not be made until the certificate of the Local Government Board has been issued.

The payment of the first half-yearly grant to the Local Taxation Account shall, so far as practicable, be completed before the 31st March, 1897, and any sums not paid before that date shall be paid as soon thereafter as possible.

The subsequent grants due to the Local Taxation Account under the Act shall likewise be made by the Inland Revenue Commissioners by means of periodical payments in each year, and will be governed as regards their amount by the final certificate of the Local Government Board; unless such certificate be amended or varied in accordance with section 4 (5).

The Commissioners of Inland Revenue shall notify to the Local Government Board each transfer under the Agricultural Rates Act, in order that the amounts so transferred may be distinguished from the other revenue with which the Local Taxation Account is credited.

II.

Scotland.

The Commissioners of Inland Revenue shall, out of the proceeds of the Estate Duty derived in Scotland from personal property, pay to the Local Taxation (Scotland) Account, in order to meet the payments therefrom which may be made during the six months following the 31st March, 1897, a sum equal to $\frac{11}{10}$ ths of the sum payable under the Agricultural Rates Act, 1896, to the Local Taxation Account therein mentioned, to meet the issues from that account during the same period.

In subsequent financial years, during the continuance of the Agricultural Rates, &c. (Scotland) Act, 1896, the Commissioners of Inland Revenue shall likewise pay to the Local Taxation (Scotland) Account annual sums equal to $\frac{11}{10}$ ths of the sum payable under the English Agricultural Rates Act.

The mode of making the payments to the Local Taxation (Scotland) Account in the present and subsequent years shall be the same as in the case of England, except that payments made thereto "on account" in anticipation of the Local Government Board's certificate must be at a rate not exceeding 107,000*l.* for the current half year.

The Commissioners of Inland Revenue shall notify to the Secretary for Scotland each transfer under the Agricultural Rates, &c. (Scotland) Act in order that the amounts so transferred may be distinguished from the other revenue with which the Local Taxation (Scotland) Account is credited.

III.

Ireland.

The Commissioners of Inland Revenue shall, out of the proceeds of the Estate Duty derived in Ireland from personal property, pay to the Local Taxation (Ireland) Account, to meet payments therefrom during the six months following the 31st March, 1897, a sum equal to $\frac{8}{10}$ ths of the sum payable under the Agricultural Rates Act, 1896, to the Local Taxation Account therein mentioned to meet the issues from that account during the same period.

In subsequent financial years during the continuance of the Local Taxation (Ireland) Estate Duty Act, 1896, the Commissioners of Inland Revenue shall likewise pay to the Local Taxation (Ireland) Account annual sums equal to $\frac{2}{80}$ ths of the sums payable under the English Agricultural Rates Act.

The mode of making the payments to the Local Taxation (Ireland) Account in the present and subsequent years shall be the same as in the case of England, except that payments made thereto "on account" in anticipation of the Local Government Board's certificate must be at a rate not exceeding 88,000*l.* for the current half year.

The Commissioners of Inland Revenue shall notify to the Irish Government each transfer under the Local Taxation (Ireland) Estate Duty Act, in order that the amounts so transferred may be distinguished from the other revenue with which the Local Taxation (Ireland) Account is credited.

TREASURY MINUTE, DATED SEPTEMBER 1, 1898, RESCINDING REGULATIONS OF MARCH 11, 1895, AND MAKING REGULATIONS FOR CARRYING INTO EFFECT SECTION 19 OF THE FINANCE ACT, 1894.

1898. No. 651.

12604, 98.

My Lords read again their Minute of 11th March, 1895,* pursuant to Section 19 of the Act 57 & 58 Vict. cap. 30,† which authorises the surrender to local taxation of an amount equal to $1\frac{1}{2}$ per cent. on the net value of personal property in the United Kingdom in respect of which Estate Duty is leviable by that Act, and Probate or Inventory Duty was formerly leviable, in lieu of the surrender of one moiety of the Probate Duty under the Acts of 1888—51 and 52 Vict. cap. 41‡ and cap. 60.§

My Lords take note of their direction that "In respect of affidavits and inventories bearing 30*s.* and 50*s.* stamps, inasmuch as no accurate record of the net personalty therein contained can be kept, the Commissioners of Inland Revenue shall ascertain the number of such affidavits, and shall transfer to the Local Taxation Accounts a sum equal to $1\frac{1}{2}$ per cent. on 170*l.* for each 30*s.* affidavit and a sum of $1\frac{1}{2}$ per cent. on 310*l.* for each 50*s.* affidavit, the said sums of 170*l.* and 310*l.* being taken to represent the average net personalty comprised in each 30*s.* and 50*s.* affidavit respectively."

Their Lordships, however, have now received from the Commissioners of Inland Revenue a report stating that it has

* Printed in Statutory Rules and Orders, 1895, p. 404.

† The Finance Act, 1894.

‡ The Local Government Act, 1888.

§ The Probate Duties (Scotland and Ireland) Act, 1888.

been found feasible to register and aggregate the statistics of capital representing respectively the value of real and personal property disclosed in the case of each such small estate, and they have accordingly decided that the exceptional method of dealing with these estates should now cease. They are, therefore, pleased to rescind the regulations made for such exceptional treatment in their Minute of the 11th March, 1895, as from the 1st April, 1898, inclusive, and to direct:—

That the Commissioners of Inland Revenue shall provide for a complete record of the net capital of all personal property in the United Kingdom disclosed in affidavits or inventories leading to grants of Probate, including cases in which the gross value of the estate does not exceed 500*l.*, and shall transfer a sum equal to 1½ per cent. of such net capital to the Local Taxation Accounts, England and Scotland, and the Guarantee Fund Account, Ireland.

REGULATIONS, DATED DECEMBER 1, 1899, MADE BY THE LORD LIEUTENANT, UNDER SECTION 4 OF THE PROBATE DUTIES (SCOTLAND AND IRELAND) ACT, 1888.

1900. No. 55.

By the Lord Lieutenant-General and General Governor of Ireland.

Cadogan.

Whereas, by the “Probate Duties (Scotland and Ireland) Act, 1888,”* Section 4, it is, amongst other things, provided that the sums paid or distributed under that Act in Ireland shall be paid and distributed in such manner, and in accordance with such Regulations as the Lord Lieutenant for Ireland from time to time makes:

And whereas it is further provided by the aforesaid section, that where any proportion or amount is to be certified, or where any question arises as to what costs, salaries, remuneration, allowances, or officers are to be included in ascertaining such proportion or amount, the proportion or amount shall be ascertained, and the question determined in such manner as is for the time being directed by the Regulations made under that section:

And whereas Regulations for the purpose aforesaid were accordingly made on the 21st March,† 16th April,‡ and 8th July, 1889,§ and 23rd January, 1891: And whereas in

* 51 & 52 Viet. c. 60.

† Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 959.

‡ Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 961.

§ Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 962.

|| Printed in Statutory Rules and Orders, 1896, p. 716.

view of the changes made by the Local Government (Ireland) Act, 1898, it is expedient to rescind the said regulations and to substitute new regulations therefor:

Now, therefore, We, the Lord Lieutenant-General and General Governor of Ireland, in pursuance of the powers vested in Us by the said Act, do hereby rescind the said regulations of the 21st March,* 16th April,† and 8th July 1889‡, and 23rd day of January, 1891§, and do hereby direct that the following regulations shall be substituted therefor and shall be observed in the payment and distribution of all sums that shall be paid and distributed in Ireland under the provisions of the said Act:—

1. The sum of 5,000*l.*, named in the Probate Duties (Scotland and Ireland) Act, 1888, as payable to the Royal Dublin Society for the improvement of the breed of horses and cattle, shall be paid to that Society as soon after the 1st of January in each year as the Lord Lieutenant shall direct.

The sum of 5,000*l.*, shall be expended by the Royal Dublin Society under regulations to be drawn up by the Council of the Society, and submitted to the Lord Lieutenant each year for His Excellency's approval: and the Society shall submit to the Lord Lieutenant an annual account of the money so expended.

2. The Local Government Board for Ireland (hereinafter called the Local Government Board) shall prepare and submit to the Lord Lieutenant:—

(a) A certificate showing the amount expended by the Guardians of each Poor Law Union during the financial year ending the 29th day of September, 1887, on the salaries, remuneration, and superannuation allowances of officers of the Union in connection with the relief of the poor, and under the Act 14 and 15 Vict., cap. 68, entitled an Act to provide for the better distribution, support, and management of Medical charities in Ireland, &c.

(b) A certificate showing the amount expended out of any cess or rate by each Road Authority in Ireland on roads and bridges within its jurisdiction during the year ending the 31st day of December, 1887.

3. In the Certificates of expenditure by the Guardians of the Poor Law Unions, to be furnished by the Local Government Board in pursuance of the foregoing regulations, the following expenses shall be included:—

I. The salaries of Workhouse Officers, and the value of the rations allowed to them by the Guardians.

* Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 959.

† Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 961.

‡ Printed in Statutory Rules and Orders Revised (1st Edition) Vol. 4, p. 962.

§ Printed in Statutory Rules and Orders, 1896, p. 716.

- II. The salaries of Relieving Officers as such.
- III. The salaries of Clerks of Unions as such.
- IV. The salaries of Returning Officers.
- V. The salaries of Medical Officers of Dispensary Districts as such.
- VI. The salaries of Apothecaries and Midwives of Dispensary Districts.
- VII. All superannuation allowances paid from the Poor Rates.

In the Certificates of Expenditure by Road Authorities, the following expenses shall be included :—

I. Expenses incurred in respect of roads and bridges within the jurisdiction of each Road Authority, whether in constructing new roads or bridges, or in repairing or maintaining old ones, including the cost of cleaning and scavenging, but not of watering roads and bridges.

II. Payments made by a Road Authority on account of, or for interest on, any loan obtained by such Authority for, and expended on constructing, maintaining, or repairing roads or bridges within its jurisdiction, but not any expenditure defrayed out of a loan.

If any question shall arise as to what costs, salaries, remuneration allowances, or officers are to be included in any such certificate, such question shall be determined by the Local Government Board.

4. The particulars for the preparation of the Certificates of Expenditure by Guardians of Poor Law Unions shall be taken from the Abstracts received by the Local Government Board of the Audited Accounts of the several Unions for the two half-years ended the 25th day of March, and the 29th day of September, 1887, respectively.

And particulars for the preparation of the Certificates of Expenditure by Road Authorities shall be obtained on a form to be prescribed by the Local Government Board, and to be issued to the several Road Authorities by that Board, which the several Road Authorities are hereby required to fill up and return to the Local Government Board within such time as shall be specified in the said form.

5. The certificate to be furnished by the Local Government Board in accordance with the foregoing Regulations shall ascertain, and state in a column for the purpose, the amount of the Grant to which the Council of each administrative county and county borough (on their own behalf or on behalf of the Board of Guardians of any Union situated within the county) and each Urban District Council are entitled in respect of each financial year, such amounts to be calculated in the manner provided in Section 3 of the said Act, and on receiving an intimation of the Lord Lieutenant's approval of such Grants, the Local Government Board shall cause pay-

Regulations as to Payment and Distribution (Ireland). 9

ment thereof to be made in the manner herein-after provided—

Provided, however, in the case of Unions the boundaries of which have been altered since the financial year ended the 29th day of September, 1887, or may hereafter be altered, the Local Government Board shall calculate in the manner provided in Section 3 (1) (b) of the Probate Duties (Scotland and Ireland) Act, 1888, the amount of the Grant to which each such Union as constituted in the last-mentioned financial year would be entitled if its boundaries had not been altered, and the share of the Union so calculated shall be divided in proportion to the rateable value of the sections into which the Union has been, or may be, divided.

Provided also that in the cases of the districts of Road authorities—

- (a) which have been constituted since the financial year ended 31st December, 1887, or may hereafter be constituted, or,
 - (b) the boundaries of which have been altered since that year, or may hereafter be altered,
- the shares of such Road Authorities in the Grant shall be determined in the manner prescribed by the proviso to Section 3 (3) of the Probate Duties (Scotland and Ireland) Act, 1888.

6. In the event of its being notified at any time before the 31st day of March that a portion of the Grant for the year ending on that day is available for distribution, the Local Government Board may submit to the Lord Lieutenant a statement showing the proportion of the sum so available to which the Council of each administrative county and county borough (on their own behalf or on behalf of the Board of Guardians of any Union situated within the county) and each Urban District Council are entitled, the calculation being made in the manner provided in Section 3 of the said Act, and when such proportions on account of the Grant shall have been approved by the Lord Lieutenant, payment of the same shall be made in the manner provided in these Regulations. In such cases as those last mentioned, when the balance of the Grant shall have been ascertained, the Local Government Board shall submit a further statement showing the portion of such balance to which the Council of each administrative county and county borough (on their own behalf or on behalf of the Board of Guardians of any Union situated within the county) and each Urban District Council are entitled, and when the Lord Lieutenant shall have approved the sums set forth therein, payment of the same shall be made in like manner as the payment on account.

7. To give effect to the foregoing Regulations, the Chief Secretary's Office shall, from time to time, on receipt from the Local Government Board of a statement, in accordance with

the foregoing Regulations of the amount of the Grant to which the Council of each administrative county and county borough (on their own behalf or on behalf of the Board of Guardians of any Union situated within the county) and each Urban District Council are entitled, and of negotiable receipts drawn out by the Local Government Board, make orders requiring the Governor and Company of the Bank of Ireland to pay out of the Local Taxation (Ireland) Account in the Bank the sums payable to the Councils of the several administrative counties, county boroughs, and urban districts as aforesaid: and the Governor and Company of the Bank of Ireland, after receipt of such order, are hereby authorised to pay such sums accordingly. Upon making such orders the negotiable receipts shall be signed by the Under Secretary or Assistant Under Secretary to the Lord Lieutenant, and returned to the Local Government Board for distribution to the several bodies referred to.

Given at Her Majesty's Castle of Dublin, this 1st day of December, 1899.

By His Excellency's Command,

D. Harrel.

REGULATIONS, DATED, DECEMBER 1, 1899, MADE BY THE LORD LIEUTENANT, UNDER SECTION 5 (2) (b) ON THE PURCHASE OF LAND (IRELAND) ACT, 1891, AS TO THE EXCHEQUER CONTRIBUTION.

1900. No. 56.

By the Lord Lieutenant-General and General Governor of Ireland.

Cadogan.

WHEREAS it is enacted by Section 5 (2) (b) of the Purchase of Land (Ireland) Act, 1891,* that the Exchequer contribution to the Guarantee Fund established by the said section, shall be carried to a reserve fund until £200,000 shall have been so carried, and so far as not required for that purpose shall be paid to the Local Taxation (Ireland) Account, established in pursuance of the Probate Duties (Scotland and Ireland) Act, 1888†; and that the share of the Municipal Boroughs to which the said Purchase of Land (Ireland) Act, 1891, does not apply shall be ascertained and applied as if it were part of the Irish Probate Duty Grant, and that the residue shall be divided between the counties as nearly as may be in the proportion of the shares of the counties in the Irish Probate Duty Grant, and that such residue shall be applied towards the cost of providing labourers' cottages in the several counties under the Labourers (Ireland) Acts, 1883 to 1886,‡ on

* 54 & 55 Vict. c. 48.

† 51 & 52 Vict. c. 60.

‡ 46 & 47 Vict. c. 60; 48 & 49 Vict. c. 77; and 49 & 50 Vict. c. 59.

such terms and conditions and subject to such regulations as the Lord Lieutenant thinks expedient, save that where it appears to him, on the representation of the Local Government Board, that the whole or any part of such residue applicable to any county cannot with advantage be so applied, he may order the same to be applied as if it were the share of the county in the Irish Probate Duty Grant.

And whereas, having regard to Section 3 of the said Act of 1888, the share of each such Municipal Borough is to be ascertained as follows:—It shall bear the same proportion to one-half the sum available for distribution as the expenditure of such Municipal Borough out of any cess or rate on roads and bridges during the year ended the 31st December, 1887, as certified by the Local Government Board for the purpose of the distribution of the Irish Estate (formerly the Probate) Duty Grant, bears to the total of such expenditure by road authorities in Ireland.

And whereas the proportion of the shares of the counties in the Irish Estate (formerly Probate) Duty Grant is, having regard to the said 3rd section of the said Act of 1888, the proportion which the expenditure of the Grand Jury of each county out of any cess or rate on roads and bridges during the year ended the 31st December, 1887, as certified by the Local Government Board for the purpose of the Estate (formerly the Probate) Duty Grant, bears to the total of such expenditure by grand juries.

And whereas it is enacted by Section 39 of the Land Law (Ireland) Act, 1896,* that the power conferred on the Lord Lieutenant by the said 5th section of the Purchase of Land (Ireland) Act, 1891,† to make regulations for the application of the moneys therein mentioned towards the cost of providing labourers' cottages, is thereby extended to include a power to make regulations for the application of those moneys towards defraying any costs incurred at any time after the passing of the said Act of 1891 in providing such cottages.

And whereas the Labourers' (Ireland) Act, 1891‡; the • Labourers' (Ireland) Act, 1892§; and the Labourers' (Ireland) Act, 1896, are construed as one with the Labourers' (Ireland) Acts, 1883 to 1886.

And whereas regulations for the purpose aforesaid were accordingly made on the 22nd day of March, 1897.

And whereas in view of the changes made by the Local Government (Ireland) Act, 1898, it is expedient to rescind the said regulations, and to substitute new regulations therefor.

Now, therefore, We, the Lord Lieutenant-General and General Governor of Ireland, in pursuance of the powers vested in Us as aforesaid, do hereby rescind the said Regulations of the 22nd day of March, 1897, and do hereby direct that the following Regulations shall be substituted therefor

* 59 & 60 Vict. c. 47. † 54 & 55 Vict. c. 48. ‡ 54 & 55 Vict. c. 71.
§ 55 & 56 Vict. c. 7. || 59 & 60 Vict. c. 53.

and shall be observed in the application of the share of each of the counties in Ireland in the said residue of the Exchequer contribution.

1. In any county where costs shall have been incurred at any time after the passing of the Purchase of Land (Ireland) Act, 1891, in providing labourers' cottages under the Labourers (Ireland) Acts, the share of the residue of the Exchequer contribution accruing to such county, shall be distributed amongst the rural districts comprised in the county in which such cottages shall have been provided, in the proportions and subject to the conditions hereinafter set forth.

2. Each distribution of a share of the residue of the Exchequer contribution in a county in which cottages under the Labourers Acts shall have been provided since the passing of the Purchase of Land (Ireland) Act, 1891, shall be in proportion to the amount of expenses, exclusive of expenditure from loans, but inclusive of repayments to the Commissioners of Public Works on account of loans, paid in respect of such cottages during the year ended the 29th of September preceding the year in which the distribution is made.

3. The sum accruing to a county in which costs shall have been incurred at any time after the passing of the Purchase of Land (Ireland) Act, 1891, in providing labourers' cottages under the Labourers (Ireland) Acts, shall, subject to the conditions hereinafter mentioned, be divided among those rural districts within which cottages shall have been provided, and in respect of which expenses shall have been paid or become payable during the year preceding the year of distribution as mentioned in the foregoing regulation.

4. For the purpose of these Regulations cottages shall be deemed to have been "provided" when they are certified to be ready for occupation.

5. When the amount due by any Rural District Council or Councils, on account of loans, or otherwise, in respect of cottages provided since the passing of the Purchase of Land (Ireland) Act, 1891, is less than the amount of the share or shares of such Rural District Council or Councils of the said residue of the Exchequer contribution, according to these Regulations, such Rural District Council or Councils shall only receive, respectively, the actual amount or amounts due by them in respect of such cottages, including any principal of loans remaining unpaid, and the balance or balances of the share or shares shall remain to the credit of the Local Taxation (Ireland) Account in the Bank of Ireland until We shall otherwise direct; and, in any county where costs shall not have been incurred at any time after the passing of the Purchase of Land (Ireland) Act, 1891, in providing labourers' cottages under the Labourers (Ireland) Acts, the share of the residue of the Exchequer contribution accruing to such county,

Exchequer Contribution for Labourers' Cottages (Ireland). 13

ascertained in the manner above described, shall, likewise, remain to the credit of the Local Taxation (Ireland) Account in the Bank of Ireland until We shall otherwise direct.

6. Subject to the foregoing Regulations the said residue of the Exchequer contribution applicable towards the cost of providing labourers' cottages under the Labourers' (Ireland) Acts, shall be primarily applied towards the payment of any instalment or instalments due on account of or towards the payment or reduction of any balance remaining due on foot of loans contracted in respect of such cottages in the order of priority of such loans; provided that the Local Government Board may, before or instead of so doing apply any part of the said residue in discharge of any debts of the rural district in respect of such cottages.

7. The Local Government Board on receipt of a return from Us of the sum available for distribution each year shall furnish to Us, as soon as may be practicable, a Schedule showing the amounts to which rural districts in each county are severally entitled.

8. The sums payable in respect of such rural districts respectively as shown by the Schedule so to be furnished to Us by the Local Government Board, shall be paid out of the Local Taxation (Ireland) Account in the Bank of Ireland by Orders made by Us on the Governor and Company of that Bank to the Commissioners of Public Works, or to the County Council of the County in which such Rural Districts are comprised (as the case may be), to be placed by the said Commissioners or the said County Council to the credit of the Rural Districts concerned.

9. Nothing in these regulations contained shall limit, or in any way affect Our right, or any representation made to Us by the Local Government Board that any part of the said residue of the Exchequer contribution cannot with advantage be applied towards the cost of providing labourers' cottages, to order the same to be applied as if it were the share of the county in the Irish Probate Duty Grant.

10. These regulations shall continue in force until amended, altered or revoked by any subsequent regulation which may be made by Us.

Given at Her Majesty's Castle at Dublin, this 1st day of December, 1899.

By His Excellency's command.

D. Harrel.

LOCOMOTIVE.

1. *Traction Engines*, p. 1. | 2. *Motor Cars*, p. 3.

1. Traction Engines.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED NOVEMBER 21, 1903, VARYING PROVISIONS OF SECTION 28 (4) OF THE HIGHWAYS AND LOCOMOTIVES (AMENDMENT) ACT, 1878, AS TO CONSTRUCTION OF WHEELS OF LOCOMOTIVES ON HIGHWAYS.

1903. No. 1003.

Highways and Locomotives (Amendment) Act, 1878,*
and

Locomotives on Highways Act, 1896.†

To the County Councils of the several Administrative Counties in England and Wales;—

To the Councils of the several County Boroughs in England and Wales;—

To the Mayor, Aldermen, and Commons of the City of London;—

To the Councils of the several Metropolitan Boroughs;—

To the Urban District Councils of the several Urban Districts in England and Wales;—

To the Rural District Councils of the several Rural Districts in England and Wales;—

And to all others whom it may concern.

Whereas by Section 28 of the Highways and Locomotives (Amendment) Act, 1878, it is enacted that it shall not be lawful to use on any highway a Locomotive constructed otherwise than in accordance with the provisions therein set forth, and by sub-section (4) of that Section it is provided as follows; that is to say,—

“ The driving wheels of a locomotive shall be cylindrical and smooth-soled, or shod with diagonal cross-bars of not less than three inches in width nor more than three-quarters of an inch in thickness, extending the full breadth of the tire, and the space intervening between each such cross-bar shall not exceed three inches.”

And whereas by Section 9 of the Locomotives on Highways Act, 1896, it is enacted that the requirements of the above-cited sub-section may be from time to time varied by Order of the Local Government Board;

* 41 & 42 Vict. c. 77.

† 59 & 60 Vict. c. 36.

And whereas We, the Local Government Board, by Orders dated respectively the 26th day of November, 1897,* and the 4th day of November, 1898,† varied the provisions of the above-cited sub-section so as to authorise the use of Locomotives having driving wheels shod with wooden blocks; and it is expedient that the said Orders should be rescinded, and that the said provisions should be varied as herein-after mentioned;

Now therefore, in pursuance of the powers given to Us in that behalf, We do hereby Order as follows:—

Article 1.—The said Orders dated respectively the Twenty-sixth day of November, One thousand eight hundred and ninety-seven, and the Fourth day of November, One thousand eight hundred and ninety-eight, shall be rescinded.

Article 2.—The provisions of sub-section (4) of Section 28 of the Highways and Locomotives (Amendment) Act, 1878, shall be varied as follows:—

A locomotive may be used the driving wheels of which, instead of being smooth-soled or shod with diagonal cross-bars, are shod with wooden blocks, subject to the following conditions:—

1. The width of each block, when the said width is measured along the circumference of the wheel, shall be not less than six inches.
2. The width of each block, when the said width is measured across the circumference of the wheel, shall be not less than six inches:

Provided that if the width prescribed by sub-section (1) or sub-section (2) of Section 28 of the Highways and Locomotives (Amendment) Act, 1878, for the tire of the driving wheels exceeds eighteen inches the width of any block, when the said width is measured across the circumference of the wheel, shall be not less than the width prescribed by such of the following rules as may be applicable to the circumstances of the case; that is to say,—

If the width of the tire does not exceed twenty inches the width of the block shall be six and a half inches.

If the width of the tire exceeds twenty inches, but does not exceed twenty-two inches, the width of the block shall be seven inches.

If the width of the tire exceeds twenty-two inches, but does not exceed twenty-six inches, the width of the block shall be eight inches.

If the width of the tire exceeds twenty-six inches but does not exceed twenty-eight inches, the width of the block shall be eight and a half inches.

* Printed in Statutory Rules and Orders, 1897, page 450.

† Printed in Statutory Rules and Orders, 1898, page 571.

3. The interval between any two blocks, when the said interval is measured along the circumference of the wheel, shall be not more than two inches.
4. The blocks shall be arranged in two or more rows, and so that a straight line drawn through the middle of each block shall pass through the middle of the interval between the blocks of the next row.
5. The blocks shall work on efficient springs or other elastic material so as to yield with the pressure of the weight of the Locomotive; but not so that the surface of the wood block shall be at any time level with or depressed below the tire of the wheel.
6. No wheel shall be used any block of which is so worn that any metal rim surrounding the block protrudes beyond the surface of the block.

Given under the seal of office of the Local Government Board, this twenty-first day of November, in the year One thousand nine hundred and three.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

2 Motor Cars.

- (a) *Use of Petroleum for Motor Cars*, p. 3.
- (b) *Use of Motor Cars on Highways*, p. 7.
- (c) *Registration of Motor Cars*, p. 23.

(a.) Use of Petroleum for Motor Cars.

REGULATIONS DATED MARCH 18, 1903, MADE BY THE SECRETARY OF STATE UNDER SECTION 5 OF THE LOCOMOTIVES ON HIGHWAYS ACT, 1896, AS TO THE KEEPING AND USE OF PETROLEUM FOR THE PURPOSES OF LIGHT LOCOMOTIVES.

1903. No. 225.

Locomotives on Highways Act, 1896 (59 & 60 Vict. c. 36, s. 5).

In promulgating the following Regulations relating to the keeping, conveyance and use of petroleum in connection with light locomotives, the Secretary of State for the Home Department desires to direct public attention to the dangers that may arise from the careless use of the more volatile descriptions of petroleum, commonly known as petroleum spirit. Not only is the vapour therefrom, which is given off at ordinary temperatures, capable of being easily ignited, but it is also capable, when mixed with air, of forming an explosive atmosphere. It is, therefore, necessary, in dealing with and handling the spirit, to take strict precautions by

the employment of thoroughly sound and properly closed vessels, and by avoiding the use of naked lights in dangerous proximity, to prevent leakage of the spirit and the contact of any form of artificial light with the highly inflammable vapour which it is always evolving.

REGULATIONS.

By virtue of the powers conferred on me by the Fifth Section of the Locomotives on Highways Act, 1896, I hereby make the following Regulations for the keeping and use of petroleum for the purposes of light locomotives.

In these Regulations the expression "petroleum spirit" shall mean the petroleum to which the Petroleum Acts, 1871* and 1879,† apply, provided that when any petroleum other than that to which the said Petroleum Acts apply, is on or in any light locomotive, or is being conveyed or kept in any place on or in which there is also present any petroleum spirit as above defined, the whole of such petroleum shall be deemed to be petroleum spirit.

In these Regulations the expression "storehouse" shall mean any room, building, coachhouse, lean-to, or other place in which petroleum spirit for the purposes of light locomotives is kept in pursuance of these Regulations.

1. The following shall be exempt from license under the Petroleum Act, 1871, namely :—

- (a) Petroleum spirit which is kept for the purpose of, or is being used on light locomotives when kept or used in conformity with these Regulations.
- (b) Petroleum spirit which is kept for the purpose of, or is being used on, light locomotives by, or by authority of, one of His Majesty's Principal Secretaries of State, the Admiralty, or other department of the Government, and which is subject to special Regulations.

2. These Regulations shall apply to petroleum spirit which is kept for the purpose of, or is being used on, light locomotives, and for which (save as herein-after provided) no license has been granted by the Local Authority under the Petroleum Act, 1871, and shall not apply to petroleum spirit which is kept for sale, or partly for sale and partly for use on light locomotives, and which must be kept in accordance with the provisions of the Petroleum Acts as heretofore.

3. Where for any special reason a person keeping petroleum spirit for the purpose of light locomotives applies for a license under the Petroleum Act, 1871, and the local authority see fit to grant such license, such petroleum spirit shall be subject only to Regulations 8 to 13, and the conditions of

* 34 & 35 Vict. c. 105.

† 42 & 43 Vict. c. 47.

such license, in so far as the said conditions are not contrary to the said Regulations 8 to 13.

4. Where a storehouse forms part of, or is attached to another building, and where the intervening floor or partition is of an unsubstantial or highly inflammable character, or has an opening therein, the whole of such building shall be deemed to be the storehouse, and no portion of such storehouse shall be used as a dwelling or as a place where persons assemble. A storehouse shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble.

5. The amount of petroleum spirit to be kept in any one storehouse, whether or not upon light locomotives, shall not exceed 60 gallons at any one time.

6. Where two or more storehouses are in the same occupation and are situated within 20 feet of one another, they shall for the purposes of these Regulations be deemed to be one and the same storehouse, and the maximum amount of petroleum spirit prescribed in the foregoing Regulation shall be the maximum to be kept in all such storehouses taken together. Where two or more storehouses in the same occupation are distant more than 20 feet from one another, the maximum amount shall apply to each storehouse.

7. Any person who keeps petroleum spirit in a storehouse which is situated within 20 feet of any other building whether or not in his occupation, or of any timber stack or other inflammable goods not owned by him, shall give notice to the local authority under the Petroleum Acts for the district in which he is keeping such petroleum spirit, that he is so keeping petroleum spirit, and shall renew such notice in the month of January in each year during the continuance of such keeping, and shall permit any duly authorised officer of the local authority to inspect such petroleum spirit at any reasonable time. This Regulation shall not apply to petroleum spirit kept in a tank forming part of a light locomotive.

8. Every storehouse shall be thoroughly ventilated.

9. Petroleum spirit shall not be kept, used, or conveyed except in metal vessels so substantially constructed as not to be liable, except under circumstances of gross negligence or extraordinary accident, to be broken or become defective or insecure. Every such vessel shall be so constructed and maintained that no leakage, whether of liquid or vapour, can take place therefrom.

10. Every such vessel, not forming part of a light locomotive, when used for conveying or keeping petroleum spirit shall bear the words "petroleum spirit highly inflammable" legibly and indelibly stamped or marked thereon, or on a metallic or enamelled label attached thereto, and shall be of a capacity not exceeding two gallons.

11. Before repairs are done to any such vessel, that vessel shall, as far as practicable, be cleaned by the removal of all petroleum spirit and of all dangerous vapours derived from the same.

12. The filling or replenishing of a vessel with petroleum spirit shall not be carried on, nor shall the contents of any such vessel be exposed in the presence of fire or artificial light, except a light of such construction, position or character, as not to be liable to ignite any inflammable vapour arising from such spirit, and no fire or artificial light capable of igniting inflammable vapour shall be brought within dangerous proximity of the place where any vessel containing petroleum spirit is being kept.

13. In the case of all petroleum spirit kept or conveyed for the purpose of, or in connection with, any light locomotive, (a) all due precautions shall be taken for the prevention of accidents by fire or explosion, and for the prevention of unauthorised persons having access to any petroleum spirit kept or conveyed, and to the vessels containing or intended to contain, or having actually contained, the same; and (b) every person managing, or employed on, or in connection with, any light locomotive shall abstain from every act whatever which tends to cause fire or explosion, and which is not reasonably necessary, and shall prevent any other person from committing such act.

14. These Regulations shall come into operation on the 18th day of March, 1903, from which date the Regulations dated 3rd November, 1896,* and the 26th day of April, 1900,† are hereby repealed.

A. Akers-Douglas,
One of His Majesty's Principal
Secretaries of State.

Whitehall, S.W.
18th March, 1903.

NOTE.—From the above Regulations it will be seen that there are two methods in which petroleum spirit required for use in motor cars may be kept. The first of these will be the usual method, namely, to keep in accordance with these Regulations; but where a person finds that for some special reason he cannot observe one of the Regulations 4, 5, or 6, he may resort to the second method, namely, to apply to the local authority for a license. In such cases the place will be examined by the local authority officer, who will advise the local authority as to its suitability for license. Where a license has been granted Regulations 4 to 7 no longer apply.

In no case is petroleum spirit kept wholly or partly for sale exempt from the necessity of a license.

* Printed in Statutory Rules and Orders, 1896, p. 173.

† Printed in Statutory Rules and Orders, 1900, p. 328.

(b.) Use of Motor Cars on Highways.

(i.) England.

**THE LIGHT LOCOMOTIVES ON HIGHWAYS ORDER, 1896, DATED
NOVEMBER 9, 1896.**

1896. No. 952.

To the County Councils of the several Administrative Counties in England and Wales;
To the Councils of the several County Boroughs in England and Wales;
To the Sanitary Authorities of the several Sanitary Districts in the Administrative County of London;
To the Urban District Councils of the several Urban Districts in England and Wales;
To the Rural District Councils acting as the Highway Authorities in Rural Districts in England and Wales;
And to all others whom it may concern.

Whereas by Section 6 of the Locomotives on Highways Act, 1896 * (herein-after called the Act), it is enacted that—

“(1.) The Local Government Board may make regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used.

“(2.) . . . All regulations under this section shall have full effect notwithstanding anything in any other Act, whether general or local, or any byelaws or regulations made thereunder.”

And whereas by Section 2 of the Act it is enacted that—

“During the period between one hour after sunset and one hour before sunrise, the person in charge of a light locomotive shall carry attached thereto a lamp so constructed and placed as to exhibit a light in accordance with the regulations to be made by the Local Government Board.”

And whereas by Section 7 of this Act it is enacted that—

“A breach of any . . . regulation made under this Act, . . . may, on summary conviction, be punished by a fine not exceeding ten pounds.”

Now, therefore, in pursuance of the powers given to us by the Act, and by any other statutes in that behalf, we, the Local Government Board, do by this our Order make the following regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used, and direct that the same

shall have effect on and after the fourteenth day of November one thousand eight hundred and ninety-six :—

Article 1.—In this Order—

The expression “carriage” includes a waggon, cart, or other vehicle.

The expression “horse” includes a mule or other beast of draught or burden, and the expression “cattle” includes sheep.

The expression “light locomotive” means a vehicle propelled by mechanical power which is under three tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vessel with its locomotive not exceeding in weight unladen four tons), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause.

In calculating for the purposes of this Order the weight of a vehicle unladen, the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

Article 2.—No person shall cause or permit a light locomotive to be used on any highway, or shall drive or have charge of a light locomotive when so used, unless the conditions herein-after set forth shall be satisfied, namely,—

- (1.) The light locomotive, if it exceeds in weight unladen five hundredweight, shall be capable of being so worked that it may travel either forwards or backwards.
- (2.) The light locomotive shall not exceed six and a half feet in width, such width to be measured between its extreme projecting points.
- (3.) The tyre of each wheel of the light locomotive shall be smooth and shall, where the same touches the ground, be flat and of the width following, namely,—
 - (a) if the weight of the light locomotive unladen exceeds fifteen hundredweight, but does not exceed one ton, not less than two and a half inches;
 - (b) if such weight exceeds one ton, but does not exceed two tons, not less than three inches;
 - (c) if such weight exceeds two tons, not less than four inches.

Provided that where a pneumatic tyre or other tyre of a soft and elastic material is used, the tyre may be round or curved, and there may be upon the same projections or bosses rising above the surface of the tyre if such projections or bosses are of the same material as that of the tyre itself, or of some other soft and elastic material. The width of the tyre shall, for the purpose of this

proviso, mean the extreme width of the soft and elastic material on the rim of the wheel when not subject to pressure.

- (4.) The light locomotive shall have two independent brakes in good working order, and of such efficiency that the application of either to such locomotive shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the light locomotive as if such wheels were so held.

Provided that in the case of a bicycle this regulation shall apply as if, instead of two wheels on the same axle, one wheel was therein referred to.

- (5.) The light locomotive shall be so constructed as to admit of its being at all times under such control as not to cause undue interference with passenger or other traffic on any highway.
- (6.) In the case of a light locomotive drawing or constructed to draw another vehicle or constructed or used for the carriage of goods, the name of the owner and the place of his abode or business, and in every such case and in the case of every light locomotive weighing unladen one ton and a half or upwards, the weight of the light locomotive unladen shall be painted in one or more straight lines upon some conspicuous part of the right or off side of the light locomotive in large legible letters in white upon black or black upon white, not less than one inch in height.
- (7.) The light locomotive and all the fittings thereof shall be in such a condition as not to cause, or to be likely to cause, danger to any person on the light locomotive or on any highway.
- (8.) There shall be in charge of the light locomotive when used on any highway a person competent to control and direct its use and movement.
- (9.) The lamp to be carried attached to the light locomotive in pursuance of Section 2 of the Act shall be so constructed and placed as to exhibit, during the period between one hour after sunset and one hour before sunrise, a white light visible within a reasonable distance in the direction towards which the light locomotive is proceeding or is intended to proceed, and to exhibit a red light so visible in the reverse direction. The lamp shall be placed on the extreme right or off side of the light locomotive in such a position as to be free from all obstruction to the light.

Provided that this regulation shall not extend to any bicycle, tricycle, or other machine to which Section 85 of the Local Government Act, 1888,* applies.

* 51 & 52 Vict. c. 41.

Article 3.—No person shall cause or permit a light locomotive to be used on any highway for the purpose of drawing any vehicle, or shall drive or have charge of a light locomotive when used for such purpose unless the conditions herein-after set forth shall be satisfied, namely,—

- (1.) Regulations (2), (3), (5), and (7) of Article II. of this Order shall apply as if the vehicle drawn by the light locomotive was therein referred to instead of the light locomotive itself, and Regulation (6) of the Article shall apply as if such vehicle was a light locomotive constructed for the carriage of goods.
- (2.) The vehicle drawn by the light locomotive, except where the light locomotive travels at a rate not exceeding four miles an hour, shall have a brake in good working order of such efficiency that its application to the vehicle shall cause two of the wheels of the vehicle on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the vehicle as if such wheels were so held.
- (3.) The vehicle drawn by the light locomotive shall, when under the last preceding regulation a brake is required to be attached thereto, carry upon the vehicle a person competent to apply efficiently the brake: Provided that it shall not be necessary to comply with this regulation if the brakes upon the light locomotive by which the vehicle is drawn are so constructed and arranged that neither of such brakes can be used without bringing into action simultaneously the brake attached to the vehicle drawn, or if the brake of the vehicle drawn can be applied from the light locomotive independently of the brakes of the latter.

Article 4.—Every person driving or in charge of a light locomotive when used on any highway shall comply with the regulations herein-after set forth, namely,—

- (1.) He shall not drive the light locomotive at any speed greater than is reasonable and proper having regard to the traffic on the highway, or so as to endanger the life or limb of any person, or to the common danger of passengers.
- (2.) He shall not under any circumstances drive the light locomotive at a greater speed than twelve miles an hour. If the weight unladen of the light locomotive is one ton and a half and does not exceed two tons, he shall not drive the same at a greater speed than eight miles an hour, or if such weight exceeds two tons at a greater speed than five miles an hour.

Provided that whatever may be the weight of the light locomotive, if it is used on any highway to draw any vehicle, he shall not under any circumstances drive it at a greater speed than six miles an hour.

Provided also that this regulation shall only have effect during six months from the date of this Order, and thereafter until we otherwise direct.

- (3.) He shall not cause the light locomotive to travel backwards for a greater distance or time than may be requisite for purposes of safety.
- (4.) He shall not negligently or wilfully cause any hurt or damage to any person, carriage, horse, or cattle, or to any goods conveyed in any carriage on any highway, or, when on the light locomotive, be in such a position that he cannot have control over the same, or quit the light locomotive without having taken due precautions against it being started in his absence, or allow the light locomotive or a vehicle drawn thereby to stand on such highway so as to cause any unnecessary obstruction thereof.
- (5.) He shall when meeting any carriage, horse, or cattle keep the light locomotive on the left or near side of the road, and when passing any carriage, horse, or cattle proceeding in the same direction keep the light locomotive on the right or off side of the same.
- (6.) He shall not negligently or wilfully prevent, hinder, or interrupt the free passage of any person, carriage, horse, or cattle on any highway, and shall keep the light locomotive and any vehicle drawn thereby on the left or near side of the road for the purpose of allowing such passage.
- (7.) He shall, whenever necessary, by sounding the bell or other instrument required by Section 3 of the Act, give audible and sufficient warning of the approach or position of the light locomotive.
- (8.) He shall on the request of any police constable, or of any person having charge of a restive horse, or on any such constable or person putting up his hand as a signal for that purpose, cause the light locomotive to stop and to remain stationary so long as may be reasonably necessary.

Article 5.—If the light locomotive is one to which Regulation (6) of Article 2 applies, and the particulars required by that regulation are not duly painted thereon, or if the light locomotive is one to which that regulation does not apply, the person driving or in charge thereof shall, on the request of any constable, or on the reasonable request of any other person, truly state his name and place of abode, and

the name of the owner, and the place of his abode or business.

This Order may be cited as "The Light Locomotives on Highways Order, 1896."

Given under the seal of office of the Local Government Board, this ninth day of November, in the year One thousand eight hundred and ninety-six.

(L.S.)

Henry Chaplin,
President.

Hugh Owen,
Secretary.

(ii.) Scotland.

THE LIGHT LOCOMOTIVES ON HIGHWAYS (SCOTLAND) REGULATIONS, 1896, DATED DECEMBER 3, 1896, AS AMENDED BY REGULATIONS, DATED AUGUST 26, 1901.*

1896. No. 1061, *as amended by* 1901, No. 693.

Whereas by Section 6 of the Locomotives on Highways Act, 1896 † (herein-after called "the Act,"), it is enacted that—

"(1.) The Local Government Board may make regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used.

"(2.) . . . All regulations under this section shall have full effect notwithstanding anything in any other Act, whether general or local, or any byelaws or regulations made thereunder."

And whereas by Section 2 of the Act it is enacted that—

"During the period between one hour after sunset and one hour before sunrise, the person in charge of a light locomotive shall carry attached thereto a lamp so constructed and placed as to exhibit a light in accordance with the regulations to be made by the Local Government Board."

And whereas by Section 7 of the Act it is enacted that—

"A breach of any . . . regulation made under this Act, . . . may, on summary conviction, be punished by a fine not exceeding ten pounds."

And whereas by Section 10 of the Act it is enacted that—

"In the application of this Act to Scotland, a reference to the Secretary for Scotland shall be substituted for a reference to the Local Government Board."

* These amending Regulations are printed at length in Statutory Rules and Orders, 1901, at page 219.

† 59 & 60 Vict. c. 36.

Now, therefore, I, the Right Honourable Alexander Hugh, Lord Balfour of Burleigh, Her Majesty's Secretary for Scotland, do, in pursuance of the powers given to me by the Act, make the following regulations, applicable to Scotland, with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used, and direct that the same shall have effect on and after the tenth day of December, one thousand eight hundred and ninety-six :—

Article 1.—In these Regulations—

The expression “carriage” includes a waggon, cart, or other vehicle.

The expression “horse” includes a mule or other beast of draught or burden, and the expression “cattle” includes sheep.

The expression “light locomotive” means a vehicle propelled by mechanical power which is under three tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not exceeding in weight unladen four tons), and is so constructed that no smoke or visible vapour is emitted therefrom, except from any temporary or accidental cause.

In calculating for the purposes of these regulations the weight of a vehicle unladen, the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

Article 2.—No person shall cause or permit a light locomotive to be used on any highway, or shall drive or have charge of a light locomotive when so used, unless the conditions herein-after set forth shall be satisfied, namely,—

- (1.) The light locomotive, if it exceeds in weight unladen five hundredweight, shall be capable of being so worked that it may travel either forwards or backwards.
- (2.) The light locomotive shall not exceed six and a half feet in width, such width to be measured between its extreme projecting points.
- (3.) The tyre of each wheel of the light locomotive shall be smooth, and shall, where the same touches the ground, be flat and of the width following, namely :—
 - (a) if the weight of the light locomotive unladen exceeds fifteen hundredweight, but does not exceed one ton, not less than two and a half inches;
 - (b) if such weight exceeds one ton, but does not exceed two tons, not less than three inches;
 - (c) if such weight exceeds two tons, not less than four inches.

Provided that where a pneumatic tyre or other tyre of a soft and elastic material is used, the tyre may be round or curved, and there may be upon the same projections or bosses rising above the surface of the tyre if such projections or bosses are of the same material as that of the tyre itself, or of some other soft and elastic material. The width of the tyre shall for the purpose of this proviso mean the extreme width of the soft and elastic material on the rim of the wheel when not subject to pressure.

- (4.) The light locomotive shall have two independent brakes in good working order, and of such efficiency that the application of either to such locomotive shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the light locomotive as if such wheels were so held.

Provided that in the case of a bicycle this regulation shall apply as if, instead of two wheels on the same axle, one wheel was therein referred to.

- (5.) The light locomotive shall be so constructed as to admit of its being at all times under such control as not to cause undue interference with passenger or other traffic on any highway.
- (6.) In the case of a light locomotive drawing or constructed to draw another vehicle or constructed or used for the carriage of goods, the name of the owner and the place of his abode or business, and in every such case and in the case of every light locomotive weighing unladen one ton and a half or upwards, the weight of the light locomotive unladen shall be painted in one or more straight lines upon some conspicuous part of the right or off side of the light locomotive in large legible letters in white upon black or black upon white, not less than one inch in height.
- (7.) The light locomotive and all the fittings thereof shall be in such a condition as not to cause, or to be likely to cause, danger to any person on the light locomotive or on any highway.
- (8.) There shall be in charge of the light locomotive when used on any highway a person competent to control and direct its use and movement.
- (9.) The lamp to be carried attached to the light locomotive in pursuance of Section 2 of the Act shall be so constructed and placed as to exhibit, during the period between one hour after sunset and one hour before sunrise, a white light visible within a reasonable distance in the direction towards which

the light locomotive is proceeding or is intended to proceed, and to exhibit a red light so visible in the reverse direction. The lamp shall be placed on the extreme right or off side of the light locomotive in such a position as to be free from all obstruction to the light.

Provided that this regulation shall not extend to any bicycle, tricycle, or other machine to which Section 58 of the Local Government (Scotland) Act, 1889, applies.

Article 3.—No person shall cause or permit a light locomotive to be used on any highway for the purpose of drawing any vehicle, or shall drive or have charge of a light locomotive when used for such purpose unless the conditions herein-after set forth shall be satisfied, namely,—

- (1.) Regulations (2), (3), (5), and (7) of Article 2 hereof shall apply as if the vehicle drawn by the light locomotive was therein referred to instead of the light locomotive itself, and Regulation (6) of the Article shall apply as if such vehicle was a light locomotive constructed for the carriage of goods.
- (2.) The vehicle drawn by the light locomotive, except where the light locomotive travels at a rate not exceeding four miles an hour, shall have a brake in good working order of such efficiency that its application to the vehicle shall cause two of the wheels of the vehicle on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the vehicle as if such wheels were so held.
- (3.) The vehicle drawn by the light locomotive shall, when under the last preceding regulation a brake is required to be attached thereto, carry upon the vehicle a person competent to apply efficiently the brake: Provided that it shall not be necessary to comply with this regulation if the brakes upon the light locomotive by which the vehicle is drawn are so constructed and arranged that neither of such brakes can be used without bringing into action simultaneously the brake attached to the vehicle drawn, or if the brake of the vehicle drawn can be applied from the light locomotive independently of the brakes of the latter.

Article 4.—Every person driving or in charge of a light locomotive when used on any highway shall comply with the regulations herein-after set forth; namely,—

- (1.) He shall not drive the light locomotive at any speed greater than is reasonable and proper having regard to the traffic on the highway, or so as to endanger the life or limb of any person, or to the common danger of passengers.

- (2.) He shall not under any circumstances drive the light locomotive at a greater speed than [*twelve*]^{*} miles an hour. If the weight unladen of the light locomotive is one ton and a half and does not exceed two tons, he shall not drive the same at a greater speed than *eight* miles an hour, or if such weight exceeds two tons at a greater speed than *five* miles an hour.

Provided, that whatever may be the weight of the light locomotive, if it is used on any highway to draw any vehicle he shall not under any circumstances drive it at a greater speed than *six* miles an hour.

Provided also that this regulation shall only have effect during *six* months from the date hereof, and thereafter until the Secretary for Scotland otherwise directs.

- (3.) He shall not cause the light locomotive to travel backwards for a greater distance or time than may be requisite for purposes of safety.
- (4.) He shall not negligently or wilfully cause any hurt or damage to any person, carriage, horse, or cattle, or to any goods conveyed in any carriage on any highway, or, when on the light locomotive, be in such a position that he cannot have control over the same, or quit the light locomotive without having taken due precautions against its being started in his absence, or allow the light locomotive or a vehicle drawn thereby to stand on such highway so as to cause any unnecessary obstruction thereof.
- (5.) He shall when meeting any carriage, horse, or cattle keep the light locomotive on the left or near side of the road, and when passing any carriage, horse, or cattle proceeding in the same direction keep the light locomotive on the right or off side of the same.
- (6.) He shall not negligently or wilfully prevent, hinder, or interrupt the free passage of any person, carriage, horse, or cattle on any highway, and shall keep the light locomotive and any vehicle drawn thereby on the left or near side of the road for the purpose of allowing such passage.
- (7.) He shall, whenever necessary, by sounding the bell or other instrument required by Section 3 of the Act, give audible and sufficient warning of the approach or position of the light locomotive.
- (8.) He shall on the request of any police constable, or of any person having charge of a restive horse, or on any such constable or person putting up his hand as a signal for that purpose, cause the light locomotive to stop and to remain stationary so long as may be reasonably necessary.

* The word in brackets was substituted for the previous word "ten" by the Regulations of 1901.

Article 5.—If the light locomotive is one to which regulation (6) of Article 2 applies, and the particulars required by that regulation are not duly painted thereon, or if the light locomotive is one to which that regulation does not apply, the person driving or in charge thereof shall, on the request of any constable, or on the reasonable request of any other person, truly state his name and place of abode, and the name of the owner, and the place of his abode or business.

These regulations may be cited as "The Light Locomotives on Highways (Scotland) Regulations, 1896."

Given under my hand and seal of office at Whitehall, this third day of December, in the year One thousand eight hundred and ninety-six.

(L.S.)

Balfour of Burleigh,
Secretary for Scotland.

(iii.) Ireland.

THE LIGHT LOCOMOTIVES ON HIGHWAYS (IRELAND) ORDER, 1903, DATED FEBRUARY 9, 1903.

1903. No. 93.

The Local Government Board for Ireland.

To the Council of each Administrative County in Ireland ;
To the Council of each Urban County District in Ireland ;
And to all others whom it may concern :—

Whereas by Section 6 of the Locomotives on Highways Act, 1896 * (hereinafter called the Act), it is enacted that—

" (1.) The Local Government Board may make regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used.

" (2.) * * * All regulations under this section shall have full effect notwithstanding anything in any other Act whether general or local, or any bye-laws or regulations made thereunder."

And whereas by Section 2 of the Act it is enacted that—

" During the period between one hour after sunset and one hour before sunrise, the person in charge of a light locomotive shall carry attached thereto a lamp so constructed and placed as to exhibit a light in accordance with the regulations to be made by the Local Government Board."

And whereas by Section 3 of the Act it is enacted that—

" Every light locomotive shall carry a bell or other instrument capable of giving audible and sufficient warning of the approach or position of the carriage."

* 59 & 60 Vict. c. 36.

And whereas by Section 4 of the Act it is enacted that—

“ No light locomotive shall travel along a public highway at a greater speed than fourteen miles an hour, or than any less speed that may be prescribed by regulations of the Local Government Board.”

And whereas by Section 11 of the Act it is enacted that—

“ In the application of this Act to Ireland a reference to the Local Government Board for Ireland shall be substituted for a reference to the Local Government Board’ ° ° ° ° ° .

And whereas by Section 7 of the Act it is enacted that—

“ A breach of any ° ° ° regulation made under this Act, ° ° ° may, on summary conviction, be punished by a fine not exceeding ten pounds.”

Now therefore, in pursuance of the powers given to Us by the Act, and by any other Statutes in that behalf, We, the Local Government Board for Ireland, do by this our Order make the following Regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used, and direct that the same shall have effect on and after the thirty-first day of March, One thousand nine hundred and three.

Article 1.—In these Regulations—

The expression “carriage” includes a waggon, cart, or other vehicle.

The expression “horse” includes a mule or other beast of draught or burden, and the expression “cattle” includes sheep.

The expression “light locomotive” means a vehicle propelled by mechanical power which is under three tons in weight unladen, and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not exceeding in weight unladen four tons), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause; but the expression light locomotive shall not include a motor bicycle.

In calculating for the purposes of these Regulations the weight of a vehicle unladen, the weight of any water, fuel, or accumulators, used for the purpose of propulsion, shall not be included.

Article 2.—No person shall cause or permit a light locomotive or motor bicycle to be used on any highway, or shall drive or have charge of any such locomotive or bicycle when so used, unless the conditions herein-after set forth shall be satisfied, namely—

- (1.) Every light locomotive, if it exceeds in weight unladen five hundred-weight, shall be capable of being so worked that it may travel either forwards or backwards.

- (2.) No light locomotive shall exceed six and a half feet in width, such width to be measured between its extreme projecting points.
- (3.) The tyre of each wheel of every light locomotive shall be smooth and shall, where the same touches the ground, be flat and of the width following, namely—
- (a) if the weight of a light locomotive unladen exceeds fifteen hundredweight, but does not exceed one ton, not less than two and a half inches;
 - (b) if such weight exceeds one ton, but does not exceed two tons, not less than three inches;
 - (c) if such weight exceeds two tons, not less than four inches;

Provided that where a pneumatic tyre or other tyre of a soft and elastic material is used, the tyre may be round or curved, and there may be upon the same projections or bosses rising above the surface of the tyre if such projections or bosses are of the same material as that of the tyre itself, or of some other soft and elastic material. The width of the tyre shall, for the purpose of this proviso, mean the extreme width of the soft and elastic material on the rim of the wheel when not subject to pressure.

- (4.) Every light locomotive shall have two independent brakes in good working order, and of such efficiency that the application of either to such locomotive shall cause two of its wheels on the same axle to be so held that the wheels shall be effectually prevented from revolving, or shall have the same effect in stopping the light locomotive as if such wheels were so held.
- (5.) Clause (4) of this article shall apply to a motor bicycle, and shall so apply as if, instead of two wheels on the same axle, one wheel was therein referred to.
- (6.) Every light locomotive and motor bicycle shall be so constructed as to admit of its being at all times under such control as not to cause undue interference with passenger or other traffic on any highway.
- (7.) In the case of a light locomotive drawing or constructed to draw another vehicle or constructed or used for the carriage of goods, the name of the owner and the place of his abode or business, and in every such case and in the case of every light locomotive weighing unladen one ton and a half or upwards, the weight of the light locomotive unladen shall be painted in one or more straight lines upon some conspicuous part of the right or

off side of the light locomotive in large legible letters in white upon black or black upon white, not less than one inch in height.

- (8.) Every light locomotive and motor bicycle and all the fittings thereof shall be in such a condition as not to cause, or to be likely to cause, danger to any person on such light locomotive or bicycle or on any highway.
- (9.) There shall be in charge of every light locomotive and motor bicycle when used on any highway a person competent to control and direct its use and movement.
- (10.) The lamp to be carried attached to every light locomotive in pursuance of Section 2 of the Act shall be so constructed and placed as to exhibit a white light visible within a reasonable distance in the direction towards which such locomotive is proceeding or is intended to proceed, and to exhibit a red light so visible in the reverse direction, and such lamp shall be placed on the extreme right or off side of the light locomotive in such a position as to be free from all obstruction to the light.
- (11.) In the case of a motor bicycle the lamp to be carried as aforesaid shall be so constructed and placed as to exhibit a white light in the direction in which such bicycle is proceeding adequate to signal the approach or position of such bicycle.

Article 3.—No person shall cause or permit a light locomotive or bicycle to be used on any highway for the purpose of drawing any vehicle, or shall drive or have charge of any such locomotive or bicycle when used for such purpose, unless the conditions herein-after set forth in so far as they apply to such locomotive or bicycle or vehicle shall be satisfied, namely—

- (1.) Clauses (2), (3), (6), and (8) of Article 2 of these Regulations shall apply as if the vehicle drawn by the light locomotive was therein referred to instead of the light locomotive itself, and Clause (7) of the said Article shall apply as if such vehicle was a light locomotive constructed for the carriage of goods; and Clauses (6) and (8) of the said Article shall apply to a vehicle drawn by a motor bicycle as if such vehicle was therein referred to instead of such bicycle.
- (2.) The vehicle drawn by the light locomotive or motor bicycle, except where the light locomotive travels at a rate not exceeding four miles an hour, shall have a brake in good working order of such efficiency that its application to the vehicle shall cause two of the wheels of the vehicle on the same axle to be so held that the wheels shall be effec-

tually prevented from revolving, or shall have the same effect in stopping the vehicle as if such wheels were so held.

- (3.) The vehicle drawn by the light locomotive shall, when under Clause (2) of this Article a brake is required to be attached thereto, carry upon the vehicle a person competent to apply efficiently the brake: Provided that it shall not be necessary to comply with the requirements of the said Clause if the brakes upon the light locomotive by which the vehicle is drawn are so constructed and arranged that neither of such brakes can be used without bringing into action simultaneously the brake attached to the vehicle drawn, or if the brake of the vehicle drawn can be applied from the light locomotive independently of the brakes of the latter.
- (4.) Between one hour after sunset and one hour before sunrise there shall be carried attached to the vehicle drawn by the light locomotive or motor bicycle a lamp or lamps so constructed and in such a position as to exhibit a red light or lights visible within a reasonable distance in the reverse direction to that in which the vehicle is proceeding and also right and left of such direction at right angles thereto.

Article 4.—The following rules shall be observed by every person driving or in charge of a light locomotive (and where specially mentioned a motor bicycle) when used on any highway, that is to say:—

- (1.) Subject to the provisions of the Act as to speed he shall not drive the light locomotive or motor bicycle at any speed greater than is reasonable and proper having regard to the traffic on the highway, or so as to endanger the life or limb of any person, or to the common danger of passengers.
- (2.) If the weight unladen of the light locomotive is one ton and a half and does not exceed two tons, he shall not drive the same at a greater speed than eight miles an hour, or if such weight exceeds two tons at a greater speed than five miles an hour.

Provided that whatever may be the weight of the light locomotive, if it is used on any highway to draw any vehicle, he shall not under any circumstances drive it at a greater speed than six miles an hour.

Provided also that no light locomotive or motor bicycle shall travel along any public highway within the limits of any city, town, or village, at a greater speed than six miles an hour, or, if its weight, unladen, exceeds two tons, at a greater speed than five miles an hour.

- (3.) He shall not cause the light locomotive to travel backwards for a greater distance or time than may be requisite for purposes of safety.
- (4.) He shall not negligently or wilfully cause any hurt or damage to any person, carriage, horse, or cattle, or to any goods conveyed in any carriage on any highway, nor shall he when on the light locomotive or motor bicycle be in such a position that he cannot have control over the same, nor shall he quit such locomotive or bicycle without having taken due precautions against its being started in his absence, nor shall he allow any such locomotive or bicycle or a vehicle drawn thereby to stand on such highway so as to cause any unnecessary obstruction thereof.
- (5.) He shall when meeting any carriage, horse, or cattle keep the light locomotive or motor bicycle on the left or near side of the road, and when passing any carriage, horse, or cattle proceeding in the same direction keep such locomotive or bicycle on the right or off side of the same.
- (6.) He shall not negligently or wilfully prevent, hinder, or interrupt the free passage of any person, carriage, horse, or cattle on any highway, and shall keep the light locomotive or motor bicycle and any vehicle drawn thereby on the left or near side of the road for the purpose of allowing such passage.
- (7.) He shall, whenever necessary, by sounding the bell or other instrument required by Section 3 of the Act. give audible and sufficient warning of the approach or position of the light locomotive or motor bicycle.
- (8.) He shall on the request of any police constable, or of any person having charge of a restive horse, or on any such constable or person putting up his hand as a signal for that purpose, cause the light locomotive or motor bicycle to stop and to remain stationary so long as may be reasonably necessary.

Article 5.—If the light locomotive is one to which Clause (7) of Article 2 of these Regulations applies, and the particulars required by that Clause are not duly painted thereon, or in the case of a motor bicycle or of a light locomotive to which that Clause does not apply, the person driving or in charge thereof shall, on the request of any constable, or on the reasonable request of any other person, truly state his name and place of abode, and the name of the owner, and the place of his abode or business.

Article 6.—This Order may be cited as “The Light Locomotives on Highways (Ireland) Order, 1903.”

Given under our Seal of Office, this ninth day of February, in the year of our Lord One thousand nine hundred and three.

(L.S.)

George Wyndham, H. A. Robinson.

(c.) Registration of Motor Cars.

(1.) England.

THE MOTOR CAR (REGISTRATION AND LICENSING) ORDER,
1903. DATED NOVEMBER 19, 1903.

1903. No. 998.

To the County Councils of the several Administrative
Counties in England and Wales ;—
To the Councils of the several County Boroughs in
England and Wales ;—
And to all others whom it may concern.

Whereas by Section 6 of the Locomotives on Highways
Act, 1896.*

Herein-after referred to as "the Act of 1896," it is
enacted that—

"(1.) The Local Government Board may make regula-
tions with respect to the use of light locomotives on
highways, and their construction, and the conditions
under which they may be used.

"(2.)

"All regulations under this section shall have full effect
notwithstanding anything in any other Act, whether
general or local, or any byelaws or regulations made
thereunder."

And whereas by Section 7 of the Act of 1896 it is enacted
that—

"A breach of any * * * regulation made
under this Act, * * * may, on sum-
mary conviction, be punished by a fine not exceeding
ten pounds."

And whereas by Section 2 of the Motor Car Act, 1903 †
(herein-after referred as the "Act of 1903"), it is enacted
that—

"(1.) Every motor car shall be registered with the
Council of a county or county borough, and every such
Council shall assign a separate number to every car
registered with them.

"(2.) A mark indicating the registered number of the
car and the Council with which the car is registered
shall be fixed on the car or on a vehicle drawn by the
car, or on both, in such manner as the Council require
in conformity with regulations of the Local Govern-
ment Board made under this Act.

* 59 & 60 Vict. c. 36.

† 3 Edw. 7, c. 36.

"(3.) A fee of twenty shillings shall be charged by the Council of a county or county borough on the registration of a car, except in the case of motor cycles, for which the fee shall be five shillings.

"(4.) If a car is used on a public highway without being registered, or if the mark to be fixed in accordance with this Act is not so fixed, * * * * *, the person driving the car shall be guilty of an offence under this Act, * * * * *

" Provided that—

"(a.) A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the car in accordance with this section, and that the car is being driven on a highway for the purpose of being registered ; and

"(b.) The Council of any county or county borough in which the business premises of any manufacturer of, or dealer in, motor cars are situated, may, on payment of such annual fee, not exceeding three pounds, as the Council require, assign to that manufacturer or dealer a general identification mark which may be used for any car on trial after completion, or on trial by an intending purchaser, and a person shall not be liable to a penalty under this section while so using the car if the mark so assigned is fixed upon the car in the manner required by the Council in accordance with regulations of the Local Government Board made under this Act."

And whereas by Section 3 of the Act of 1903 it is enacted that—

" * * * * *

"(2.) The Council of a county or county borough shall grant a licence to drive a motor car to any person applying for it who resides in the county or county borough on payment of a fee of five shillings, unless the applicant is disqualified under the provisions of this Act.

"(3.) A licence shall remain in force for a period of twelve months from the date on which it is granted, but shall be renewable, and the same provisions shall apply with respect to the renewal of the licence as apply with respect to the grant of the licence.

" * * * * *

"(5.) Any person under the age of seventeen years shall be disqualified for obtaining a licence (except that a licence limited to driving motor cycles may be

granted to a person over the age of fourteen years), and any person who already holds a licence shall be disqualified for obtaining another licence while the licence so held by him is in force."

And whereas by Section 7 of the Act of 1903 it is enacted that—

"(1.) The Local Government Board may, under Section 6 of the Locomotives on Highways Act, 1896, make regulations—

"(a.) providing generally for facilitating the identification of motor cars, and in particular for determining, and regulating generally the size, shape and character of the identifying marks to be fixed under this Act, and the mode in which they are to be fixed and to be rendered easily distinguishable whether by night or by day, and with respect to the registration of cars, and the entry of particulars, including particulars of the ownership of the car, in the register, and the giving of those particulars, and for making any particulars contained in the register available for use by the police, and for making the registration of a car void if the regulations as to registration are not complied with; and

"(b.) with respect to the licences to be granted by the Councils of counties or county boroughs under this Act, and in particular with respect to the register to be kept of those licences and the renewal of licences, and for providing special facilities for granting licences to persons not resident in the United Kingdom, and for communicating particulars thereof to adjoining and other county or county borough councils, and for making any particulars with respect to any persons whose licences are suspended or endorsed available for use by the police, and for preventing a person holding more than one licence.

"(2.) The Councils of counties and county boroughs shall comply with any regulations so made by the Local Government Board, and may if authorised by those regulations and in accordance therewith charge in respect of the entry of particulars of the ownership of a car on change of ownership such fee, not exceeding ten shillings, as may be prescribed by the regulations, and in respect of the issue of a new licence in the place of a licence lost or defaced, such fee not exceeding one shilling as may be prescribed by the regulations."

Now therefore, in pursuance of the powers given to Us by the Act of 1896 and the Act of 1903, and by any other Statutes in

that behalf, We, the Local Government Board, Do by this Our Order make the following Regulations, and Direct that the same shall have effect for the purpose of bringing the Act of 1903 into operation and giving effect to that Act :—

PART I.

Registration of Motor Cars.

Article 1.—The Council of every county and the Council of every county borough shall establish and keep a Register (herein-after referred to as “the Register of Motor Cars”) for the registration of motor cars.

The index mark distinguishing the Council of the county or county borough with which a motor car is registered shall, as respects the Council of each county or county borough, be the letter or letters shown opposite to the name of that Council in Part I. of the First Schedule to this Order.

The Register of Motor Cars shall be in the form set out in the Second Schedule to this Order, or in a form to the like effect.

The Council of any county or county borough may, if they think fit, keep the Register of Motor Cars in two parts, one part relating to motor cars not being motor cycles, and the other part relating to motor cycles.

Article 2.—The owner of a motor car who desires to register it with the Council of any county or county borough shall apply to the Council, and shall furnish them with the particulars set out in the form in the Third Schedule to this Order. A fee of twenty shillings in the case of a motor car not being a motor cycle, or of five shillings in the case of a motor cycle, being the fee prescribed by the Act of 1903, shall be paid before the motor car can be registered.

Article 3.—The Council, on receipt of any such application, and the particulars and fee above referred to, shall forthwith assign a separate number to the motor car, and register it by making the required entries in the Register of Motor Cars. The Council, on the registration of a motor car, shall forthwith furnish the owner of the motor car with a copy of the entries in the Register relating to the motor car.

Article 4.—If the ownership of a motor car is changed, notice of the change shall be given either by the new or the old owner to the Council with whom the motor car is registered, and an application shall also be made either to cancel the registration of the car or to continue the existing registration under the new ownership.

If an application is so made to cancel the registration of the motor car, and no application is made to continue the existing registration of the car, the registration of the car shall be cancelled accordingly, but if an application is made to continue the existing registration of the car, the new owner shall furnish the necessary particulars as to owner-

ship, and on receipt of a fee of five shillings in the case of a motor car not being a motor cycle, or of one shilling in the case of a motor cycle (which fees the Council are hereby authorised to charge), the Council shall cause the necessary alterations to be made in the Register of Motor Cars, and shall furnish the new owner with a copy of the altered entries in the Register.

Any notice may be given or application or alteration made under this Article before the date of the actual change of ownership so as to take effect from that date.

If the provisions of this Article as to notice and application are not complied with, the registration of the motor car shall be void.

Article 5.—If any circumstance (other than a change of ownership dealt with in the preceding Article) occurs in relation to any motor car which affects the accuracy of any particulars entered as respects that car in the Register of Motor Cars, the owner of the motor car shall forthwith inform the Council with whom it has been registered, and on receipt of such information the Council shall forthwith cause the entries respecting that motor car in the Register of Motor Cars to be amended accordingly, and shall furnish the owner with a copy of the entries as so amended. No fee shall be charged by the Council in respect of any amendment of entries or transmission of a copy of entries under this Article.

Article 6.—If the Council are satisfied that a motor car which has been registered with them is destroyed, broken up, or permanently removed from the United Kingdom, or registered with another registering authority under the Act of 1903, or if the owner of a registered motor car by application in writing requests them to cancel the registration thereof (except where, in the case of a change of ownership, there is an application to continue the existing registration) they shall cause the entries in the Register of Motor Cars with respect to the motor car to be cancelled, and may, if they think fit, assign the registered number of the motor car to any other motor car whether belonging to the same or any other owner.

Article 7.—The mark to be carried by a registered motor car, in pursuance of Section 2 of the Act of 1903 (in this Order referred to as the identification mark), shall consist of two plates which must conform as to lettering, numbering, and otherwise, with the provisions set out in the Fourth Schedule to this order.

Designs, painted or otherwise, shown upon the motor car may, if it is desired, be used instead of plates, and any reference to plates in this order shall be construed to include a reference to such designs, and any reference to the fixing of plates to include a reference to the painting or other delineation of the designs.

Article 8.—The plates forming the identification mark shall be fixed, one on the front of, and the other on the back of, the motor car, in an upright position, so that every letter or figure on the plate is upright and easily distinguishable, in the case of the plate placed on the front of the motor car, from in front of the car, and, in the case of the plate placed on the back of the motor car, from behind the car.

In the case of a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the Fourth Schedule to this Order, be fixed so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable, though they may not be distinguishable from the front of the cycle.

Subject to the provisions of this Article, the plates forming the identification mark shall be fixed on the motor car in the position indicated in the particulars given on the application for the registration of the motor car, or subsequently furnished to the registering Council, or if that Council are not satisfied with the position so indicated, in such a position as they direct.

So long as the provisions of this Order are complied with, different identification plates may be used on a motor car by day and night or on different occasions.

Article 9.—When another vehicle is attached to a motor car, either in front or behind, the plate required to be fixed on the front or on the back of the motor car, or a duplicate of such plate, shall be fixed on the front or on the back of the vehicle attached, as the case requires, in the same manner as the plate is required to be fixed upon the motor car.

Article 10.—A Council with whom a motor car is registered may, if they think fit, supply to the owner of the car, if he so desires, the plates forming the identification mark on the car, and make a charge for them.

Article 11.—Whenever during the period between one hour after sunset and one hour before sunrise a motor car is used on a public highway, a lamp shall be kept burning on the car, so contrived as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable every letter or figure on the identification plate fixed on the back of the motor car, or of any vehicle attached to the back of the motor car, as the case may be.

In the application of this Article to a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, the plate fixed on the front of the motor car may, if desired, be substituted for the plate fixed on the back of the motor car.

Article 12.—If the Council of any county or county borough assign to a manufacturer or dealer a general identi-

fication mark under proviso (b) to subsection (4) of Section 2 of the Act of 1903, the mark shall be such as the Council direct in each case. Provided that—

- (a.) It shall consist of two plates, each bearing the index mark of the Council and some other distinguishing letter or letters; and each having placed thereon or annexed thereto some distinguishing number; and
- (b.) The colouring of the plates shall be different from that used for the plates forming the ordinary identification mark; and
- (c.) The lettering and numbering of the plates shall, so far as possible, be similar to those required in the case of the plates forming the ordinary identification mark.

On every occasion on which the general identification mark is used on a motor car, the manufacturer or dealer shall keep a record of the distinguishing number placed on or annexed to the identification plates on that occasion, and of the name and address of the person driving the motor car on that occasion, and that record shall be open to inspection by the Council or by any superior officer of police or constable authorised by such an officer.

If the general identification mark is used at the same time on more than one motor car, the distinguishing number placed on or annexed to the plates must be different on each motor car.

The provisions of this Order which relate to the fixing and illumination of identification plates shall apply to the plates forming the general identification mark as they apply to the plates forming the ordinary identification mark.

The Council shall keep a Register of any general identification marks so assigned by them which shall contain the following particulars :—

- (a.) the name of the manufacturer or dealer to whom the general identification mark is assigned;
- (b.) the place of business of the manufacturer or dealer; and
- (c.) a description of the general identification mark assigned to him.

Article 13.—The Council shall, upon application being made to them by any other registering authority under the Act of 1903, or by any police authority, or by any superior officer of police or constable authorised by such an officer, forthwith provide, free of charge, a copy of the entries in their Register of Motor Cars relating to any specified motor car, or of the entries in their Register of general identification marks relating to any specified manufacturer or dealer. The Council shall also supply to any other person applying for a copy of the entries relating to any specified motor car, a

copy of those entries on payment of a fee of one shilling, if he shows that he has a reasonable cause for requiring such a copy.

An officer of the Inland Revenue Department may, without charge, at all reasonable times inspect the Register of Motor Cars and take copies of any entries in it.

PART II.

Licences.

Article 14.—A person who desires to obtain the grant or renewal of a licence to drive a motor car or of a licence limited to driving motor cycles under the Act of 1903 shall apply to the Council of the county or county borough in which he resides, and furnish them with the particulars set out in Form A. or Form B. in the Fifth Schedule to this Order as the case requires.

The fee of five shillings prescribed by the Act of 1903 shall be paid before the applicant is entitled to receive the licence or renewal.

Applications for the grant or renewal of a licence may be received and dealt with at any time within one month before the date on which the grant or renewal of the licence is to take effect.

Article 15.—The licence and renewal of a licence shall respectively be in the form set out for the purpose in the Sixth Schedule to this Order or in a form to the like effect.

Article 16.—If any person applies to the Council of a county or county borough for the grant of a licence, and the Council are satisfied that he has no residence in the United Kingdom, the Council shall, if the applicant is otherwise entitled, grant him a licence, notwithstanding that he is not resident within their county or county borough.

Article 17.—If a person to whom a licence has been granted by the Council of a county or county borough satisfies that Council that his licence or any renewal of it has been lost or defaced, the Council shall, on payment of a fee of one shilling, issue to him a duplicate licence, or renewal (including, in the case of a duplicate licence, any particulars endorsed or entered upon the original licence under the Act of 1903 or this Order), and the duplicate so issued shall have the same effect as the original licence or renewal, as the case may be.

Article 18.—The Council of every county and county borough shall establish and keep a Register of Licences in the form set out in the Seventh Schedule to this Order, or in a form to the like effect.

Article 19.—Any registering Council shall upon application being made to them by any other licensing authority under the Act of 1903, or by any police authority, or by any superior officer of police or constable authorised by such officer, forthwith provide free of charge a copy of the particulars in their Register of Licences relating to any licence granted by them.

Upon receiving from any Court in pursuance of Section 4 of the Act of 1903 particulars of any conviction of the holder of a licence granted by the Council, and of the Order of the Court in the case, the Council shall cause a copy of such particulars and Order to be sent, free of charge, to the police authority for the area in which the holder of the licence resides.

PART III.

Supplemental.

Article 20.—The clerk of the Council and any other officer authorised by the Council are respectively empowered to perform any duty or exercise any power of the Council for the purpose of carrying this Order into effect.

Article 21.—The provisions of this Order shall apply in the case of a roadway to which the public are granted access in the same manner as they apply in the case of a public highway.

Except where the contrary intention appears, the expression "motor car" in this Order includes a motor cycle.

In calculating for the purpose of this Order the weight of a motor car or motor cycle unladen, the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

The Interpretation Act, 1889,* applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

Article 22.—This Order may be cited as the Motor Car (Registration and Licensing) Order, 1903.

* 52 & 53 Vict. c. 63.

First Schedule.

PART I.

Registering Council.	Index Mark.	Registering Council.	Index Mark.
1.	2.	1.	2.
London County Council	A.	County Council of Hartford ...	A.R.
County Council of Lancaster ...	B.	Council of the County Borough of Kingston-upon-Hull.	A.T.
County Council of the West Riding of Yorkshire.	C.	Council of the County Borough of Nottingham.	A.U.
County Council of Kent	D.	County Council of Salop	A.W.
County Council of Stafford	E.	County Council of Monmouth ...	A.X.
County Council of Essex	F.	County Council of Leicester ...	A.Y.
County Council of Middlesex ...	H.	Council of the County Borough of Salford.	B.A.
County Council of Durham	J.	Council of the County Borough of Newcastle-upon-Tyne.	B.B.
Council of the County Borough of Liverpool.	K.	Council of the County Borough of Leicester.	B.C.
County Council of Glamorgan ...	L.	County Council of Northampton...	B.D.
County Council of Chester	M.	County Council of the Parts of Lindsey.	B.E.
Council of the County Borough of Manchester.	N.	County Council of Dorset	B.F.
Council of the County Borough of Birmingham	O.	County Council of Bucks	B.H.
County Council of Surrey	P.	County Council of East Suffolk ...	B.J.
County Council of Derby	R.	Council of the County Borough of Portsmouth.	B.K.
County Council of Devon	T.	County Council of Berks	B.L.
Council of the County Borough of Leeds.	U.	County Council of Bedford	B.M.
Council of the County Borough of Sheffield.	W.	Council of the County Borough of Bolton.	B.N.
County Council of Northumberland	X.	Council of the County Borough of Cardiff.	B.O.
County Council of Somerset	Y.	County Council of West Sussex ...	B.P.
County Council of Southampton ...	A.A.	Council of the County Borough of Sunderland.	B.R.
County Council of Worcester	A.B.	County Council of the East Riding of Yorkshire.	B.T.
County Council of Warwick	A.C.	Council of the County Borough of Oldham.	B.U.
County Council of Gloucester	A.D.	County Council of Oxford	B.W.
Council of the County Borough of Bristol.	A.E.	County Council of Carmarthen ...	B.X.
County Council of Cornwall	A.F.	Council of the County Borough of Croydon.	B.Y.
County Council of Norfolk	A.H.	County Council of Denbigh	C.A.
County Council of the North Riding of Yorkshire.	A.J.	Council of the County Borough of Blackburn.	C.B.
Council of the County Borough of Bradford (Yorkshire).	A.K.	County Council of Carnarvon ...	C.C.
County Council of Nottingham ...	A.L.	Council of the County Borough of Brighton.	C.D.
County Council of Wilts	A.M.	County Council of Cambridge ...	C.E.
Council of the County Borough of West Ham.	A.N.	County Council of West Suffolk ...	C.F.
County Council of Cumberland ...	A.O.	Council of the County Borough of Derby.	C.H.
County Council of East Sussex ...	A.P.	County Council of Hereford	C.J.

*First Schedule—continued.*PART I.—*continued.*

Registering Council.	Index Mark.	Registering Council.	Index Mark.
1.	2.	1.	2.
Council of the County Borough of Preston.	O.K.	County Council of Westmorland ...	E.O.
Council of the County Borough of Norwich.	O.L.	Council of the County Borough of Warrington.	E.D.
Council of the County Borough of Birkenhead.	O.M.	Council of the County Borough of Grimsby.	E.E.
Council of the County Borough of Gateshead.	O.N.	Council of the County Borough of West Hartlepool.	E.F.
Council of the County Borough of Plymouth.	O.O.	Council of the County Borough of Hanley.	E.H.
Council of the County Borough of Halifax.	O.P.	County Council of Cardigan ...	E.J.
Council of the County Borough of Southampton.	O.R.	Council of the County Borough of Wigan.	E.K.
County Council of the Parts of East Devon.	O.T.	Council of the County Borough of Bournemouth.	E.L.
Council of the County Borough of South Shields.	O.U.	Council of the County Borough of Bootle.	E.M.
Council of the County Borough of Burnley.	O.W.	Council of the County Borough of Bury.	E.N.
Council of the County Borough of Huddersfield.	O.X.	Council of the County Borough of Barrow-in-Furness.	E.O.
Council of the County Borough of Swansea.	O.Y.	County Council of Montgomery ...	E.P.
Council of the County Borough of Wolverhampton.	D.A.	Council of the County Borough of Rotherham.	E.T.
Council of the County Borough of Stockport.	D.B.	County Council of Brecknock ...	E.U.
Council of the County Borough of Middlesbrough.	D.C.	County Council of Huntingdon ...	E.W.
County Council of Pembroke ...	D.E.	Council of the County Borough of Great Yarmouth.	E.X.
Council of the County Borough of Northampton.	D.F.	County Council of Anglesey ...	E.Y.
Council of the County Borough of Walsall.	D.H.	Council of the County Borough of Burton-upon-Trent.	F.A.
Council of the County Borough of St. Helens.	D.J.	Council of the County Borough of Bath.	F.B.
Council of the County Borough of Rochdale.	D.K.	Council of the County Borough of Oxford.	F.C.
County Council of the Isle of Wight	D.L.	Council of the County Borough of Dudley.	F.D.
County Council of Flint ...	D.M.	Council of the County Borough of Lincoln.	F.E.
Council of the County Borough of York.	D.N.	County Council of Merioneth ...	F.F.
County Council of the Parts of Holland.	D.O.	Council of the County Borough of Gloucester.	F.H.
Council of the County Borough of Reading.	D.P.	Council of the County Borough of Exeter.	F.J.
Council of the County Borough of Devonport.	D.R.	Council of the County Borough of Worcester.	F.K.
Council of the County Borough of Coventry.	D.U.	County Council of the Soke of Peterborough.	F.L.
Council of the County Borough of Newport (Monmouth).	D.W.	Council of the County Borough of Chester.	F.M.
Council of the County Borough of Ipswich.	D.X.	Council of the County Borough of Canterbury.	F.N.
Council of the County Borough of Hastings.	D.Y.	County Council of Radnor ...	F.O.
Council of the County Borough of West Bromwich.	E.A.	County Council of Rutland ...	F.P.
County Council of the Isle of Ely ...	E.B.	...	...

PART II.

COUNTIES and COUNTY BOROUGHs arranged in Alphabetical Order with Index Marks.

Counties.	Index Mark.	Counties.	Index Mark.
1.	2.	1.	2.
Anglesey	E.Y.	Northumberland	X.
Bedfordshire	B.M.	Nottinghamshire	A.L.
Berkshire	B.L.	Oxfordshire	B.W.
Breconshire	B.U.	Pembrokeshire	D.E.
Buckinghamshire	B.H.	Peterborough, Soke of	F.L.
Cambridgeshire	O.E.	Radnorshire	F.O.
Cardiganshire	E.J.	Rutland	F.P.
Cardmarthenshire	B.X.	Salop	A.W.
Cardarvonshire	O.O.	Somerset	Y.
Cheshire	M.	Southampton	A.A.
Cornwall	A.F.	Staffordshire	E.
Cumberland	A.O.	Suffolk, East	B.J.
Denbighshire	C.A.	Suffolk, West	O.F.
Derbyshire	B.	Surrey	P.
Devonshire	T.	Sussex, East	A.P.
Dorset	B.F.	Sussex, West	B.P.
Durham	J.	Warwickshire	A.O.
Ely, Isle of	E.B.	Westmorland	E.O.
Essex	F.	Wight, Isle of	D.L.
Flintshire	D.M.	Wiltshire	A.M.
Glamorganshire	L.	Worcestershire	A.B.
Gloucestershire	A.D.	Yorkshire (East Riding)	E.T.
Herefordshire	C.J.	Yorkshire (North Riding)	A.J.
Hertfordshire	A.R.	Yorkshire (West Riding)	C.
Huntingdonshire	E.W.		
Kent	D.		
Lancashire	B.		
Leicestershire	A.Y.	COUNTY BOROUGHs.	
Lincolnshire, Parts of Holland	D.O.	Barrow-in-Furness	E.O.
Lincolnshire, Parts of Kesteven	O.T.	Bath	F.B.
Lincolnshire, Parts of Lindsey	B.E.	Birkenhead	O.M.
London	A.	Birmingham	O.
Merionethshire	F.F.	Blackburn	O.B.
Middlesex	H.	Bolton	B.N.
Monmouthshire	A.X.	Bootle	E.M.
Montgomeryshire	E.P.	Bournemouth	E.L.
Norfolk	A.H.	Bradford (Yorkshire)	A.K.
Northamptonshire	B.D.	Brighton	O.D.
		Bristol	A.E.

PART II.—*continued.*

County Boroughs.	Index Mark.	County Boroughs.	Index Mark.
1.	2.	1.	2.
Burley	C.W.	Newport (Monmouth)	D.W.
Burton-upon-Trent	F.A.	Northampton... ..	D.F.
Bury	R.N.	Norwich	O.L.
Canterbury	F.N.	Nottingham	A.U.
Cardiff	R.O.	Oldham	B.U.
Chester	F.M.	Oxford	F.O.
Coventry	D.U.	Plymouth	O.O.
Croydon	B.Y.	Portsmouth	B.K.
Derby	O.H.	Preston... ..	O.K.
Devonport	D.R.	Reading	D.P.
Dudley	F.D.	Rochdale	D.K.
Exeter	F.J.	Rotherham	H.T.
Gateshead	O.N.	St. Helens	D.J.
Gloucester	F.H.	Salford	B.A.
Great Yarmouth	R.X.	Sheffield	W.
Grimsby... ..	R.R.	Southampton... ..	O.R.
Halifax	O.P.	South Shields... ..	O.U.
Hanley	R.H.	Stockport	D.B.
Hastings... ..	D.Y.	Sunderland	B.R.
Huddersfield	O.X.	Swansea	O.Y.
Ipswich	D.X.	Walsall	D.H.
Kingston-upon-Hull	A.T.	Warrington	H.D.
Leeds	U.	West Bromwich	B.A.
Leicester	R.O.	West Ham	A.N.
Lincoln	F.B.	West Hartlepool	H.F.
Liverpool	K.	Wigan	R.K.
Manchester	N.	Wolverhampton	D.A.
Middlesbrough... ..	D.O.	Worcester	F.K.
Newcastle-upon-Tyne	B.B.	York	D.N.

Third Schedule.

Form of particulars to be given by Applicant for Registration of a Motor Car.

COUNTY [or COUNTY BOROUGH] of _____

1. Full name of owner.	
2. Postal address of usual residence of owner.	
3. Description or type of car (a).	
4.—(b.) Type and colour of body of car (c).	
5. Weight unladen.	
6. Whether intended for— (a) Private use, or (b) Use for trade purposes, or (c) Use as a public conveyance.	
7. Particulars as to the position on the car in which it is proposed to place the plates forming the identification mark.	

Signature of owner or person }
applying on his behalf.

Date of Application _____

- (a) *e.g.*, a 12 h.p. car, or a steam lorry, or electric brougham or motor bicycle, with the addition in each case, of the name of the maker, or name by which the type is ordinarily known.
- (b) In the case of a motor cycle, particulars under this head need not be given.
- (c) *e.g.*, tonneau body painted yellow, or dog-cart body painted black poked out with red, or van body painted blue with the name of the firm upon it.

*Fourth Schedule.**Alternative Diagram No. 1.**Alternative Diagram No. 2*

The alternative diagrams above are specimen plates drawn approximately to a scale of one-third. The actual size of the plates will, however, differ according to the number of letters and figures required.

Provisions to be complied with.

(1.) Each plate must be rectangular and bear upon it the index mark of the Council with whom the motor car is registered, and the separate number assigned to the motor car by that Council, the mark and number being arranged in conformity with the arrangement of letters and figures shown on one or other of the alternative diagrams.

(2.) The two plates may, at the option of the owner, be of either of the shapes shown in the alternative diagrams, or one of one shape and one of the other.

(3.) The ground of the plate must be black, the letters and figures must be white.

(4.) All letters and figures must be three-and-a-half inches high ; every part of every letter and figure must be five-eighths of an inch broad ; and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be two-and-a-half inches.

(5.) The space between adjoining letters and between adjoining figures must be half-an-inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half-an-inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch.

(6.) In the alternative diagram No. 1, the space between the upper and lower line must be three-quarters-of-an-inch. In the alternative diagram No. 2, the space between the letters and the figures must be one-and-a-half inches.

(7.) In the case of the plates for a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, each of the dimensions mentioned above must be halved, and the shape of the plate need not be rectangular so long as the *minimum* margin between any letter or figure and the top, bottom, and sides of the plate is preserved.

Fifth Schedule.

FORM A.

* *Particulars to be given by Applicant for Licence.*

COUNTY [or COUNTY BOROUGH] of _____

1. Full name of applicant.	
2. Postal address of residence of applicant.	
3. Whether application is for licence to drive a motor car, or for licence limited to driving motor cycles.	
4. Whether applicant is less than seventeen years of age, or in the case of an application limited to driving motor cycles, whether he is less than fourteen years of age.	
5. Whether applicant is the holder of a licence, or has at any time previously been the holder of a licence.	
6. Particulars of any licence which the applicant holds or which he has previously held.	
7. Particulars of any endorsement on any licence which the applicant holds, or which he has previously held.	
8. Whether applicant has at any time been disqualified for obtaining a licence. If so, particulars as to the Court by whom, the date on which, and the period for which the disqualification was imposed.	

Signature of Applicant _____

Date of Application _____

* In the case of an application made before the 1st of January, 1904, the particulars under the first four heads only need be given.

Fifth Schedule—continued.

FORM B.

Particulars to be given by Applicant for Renewal of Licence.

COUNTY [or COUNTY BOROUGH] of _____

1. Number of the licence.	
2. Postal address of residence of applicant.	
3. Whether applicant has, since date of last grant or renewal of the licence, been disqualified for obtaining a licence.	

Signature of Applicant _____

Date of Application _____

LOCOMOTIVE.

*Sixth Schedule.**Form of Licence.*

No. _____.

MOTOR CAR ACT, 1903.

County
or
County Borough } of _____.

LICENCE TO DRIVE A MOTOR CAR (or MOTOR CYCLE).

A.B., of _____, is hereby licensed to drive a
MOTOR CAR (or MOTOR CYCLE only) for the period of twelve months
from the _____ day of _____ until the _____ day of _____
inclusive.

Clerk to the County Council
or Town Clerk or duly authorised Officer.

N.B.—Particulars of any endorsement of any licence previously held by the person
licensed must be entered on the back of this licence.

Form of Renewal of Licence.

This licence (Licence No.* _____, granted by the Council of the County
[or County Borough] of _____, under the Motor Car Act, 1903) is
hereby renewed, so as to be in force for twelve months from the _____
day of _____ until the _____ day of _____ inclusive.

Clerk to the County Council
or Town Clerk or duly authorised Officer.

* NOTE.—If the holder of the licence furnishes the County Council with his licence for the
purpose, the renewal must be entered upon the licence. It will otherwise be a separate
document.

Seventh Schedule.

Register of Licences.

COUNTY [or COUNTY BOROUGH] of _____

1. Number of Licence.	2. Full Name of Licencee.	3. Postal Address of Residence of Licencee.	4. Whether <div>(a) To drive a Motor Car. (b) Limited to driving Motor Cycles.</div>		5. Date of Grant and of Expiration.	6. Particulars of Renewals.	7. Particulars of any Endorsements on the Licence entered in pursuance of the Motor Car Act, 1903, or the Motor Car (Registration and Licensing) Order, 1904.

Given under the seal of office of the Local Government Board, this nineteenth day of November, in the year One thousand nine hundred and three.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

(ii.) Scotland.

THE MOTOR CAR REGISTRATION AND LICENSING (SCOTLAND) ORDER, 1903. DATED NOVEMBER 20, 1903.

1903. No. 1,001.

Whereas by Section 6 of the Locomotives on Highways Act, 1896* (herein-after referred to as "the Act of 1896"), it is enacted that—

"(1) The Local Government Board may make regulations with respect to the use of light locomotives on highways, and their construction, and the conditions under which they may be used.

"(2)

"All regulations under this section shall have full effect notwithstanding anything in any other Act, whether general or local, or any byelaws or regulations made thereunder."

And whereas by Section 7 of the Act of 1896 it is enacted that—

"A breach of any . . . regulation made under this Act, . . . may, on summary conviction, be punished by a fine not exceeding ten pounds."

And whereas by Section 10 of the Act of 1896 it is enacted that—

"In the application of this Act to Scotland a reference to the Secretary for Scotland shall be substituted for a reference to the Local Government Board."

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And whereas by Section 2 of the Motor Car Act, 1903† (herein-after referred to as "the Act of 1903"), it is enacted that—

"(1) Every motor car shall be registered with the Council of a county or county borough, and every such Council shall assign a separate number to every car registered with them.

"(2) A mark indicating the registered number of the car and the Council with which the car is registered

* 59 & 60 Vict. c. 36.

† 3 Edw. 7 c. 36.

shall be fixed on the car or on a vehicle drawn by the car, or on both, in such manner as the Council require in conformity with regulations of the Local Government Board made under this Act.

“(3) A fee of twenty shillings shall be charged by the Council of a county or county borough on the registration of a car, except in the case of motor cycles, for which the fee shall be five shillings.

“(4) If a car is used on a public highway without being registered, or if the mark to be fixed in accordance with this Act is not so fixed, * * * * * the person driving the car shall be guilty of an offence under this Act, * * * * *

“ Provided that—

“(a) A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the car in accordance with this section, and that the car is being driven on a highway for the purpose of being so registered; and

“(b) The Council of any county or county borough in which the business premises of any manufacturer of, or dealer in, motor cars are situated, may, on payment of such annual fee, not exceeding three pounds, as the Council require, assign to that manufacturer or dealer a general identification mark which may be used for any car on trial after completion, or on trial by an intending purchaser, and a person shall not be liable to a penalty under this section while so using the car if the mark so assigned is fixed upon the car in the manner required by the Council in accordance with regulations of the Local Government Board made under this Act.”

And whereas by Section 3 of the Act of 1903 it is enacted that—

“ * * * * *

“(2) The Council of a county or county borough shall grant a licence to drive a motor car to any person applying for it who resides in that county or county borough on payment of a fee of five shillings, unless the applicant is disqualified under the provisions of this Act.

“(3) A licence shall remain in force for a period of twelve months from the date on which it is granted, but shall be renewable, and the same provisions shall apply with respect to the renewal of the licence as apply with respect to the grant of the licence.

* * * * *

LOCOMOTIVE.

"(5) Any person under the age of seventeen years shall be disqualified for obtaining a licence (except that a licence limited to driving motor cycles may be granted to a person over the age of fourteen years), and any person who already holds a licence shall be disqualified for obtaining another licence while the licence so held by him is in force."

And whereas by Section 7 of the Act of 1903 it is enacted that—

"(1) The Local Government Board may, under Section 6 of the Locomotives on Highways Act, 1896 * * make regulations—

"(a) providing generally for facilitating the identification of motor cars, and in particular for determining, and regulating generally the size, shape, and character of the identifying marks to be fixed under this Act, and the mode in which they are to be fixed and to be rendered easily distinguishable whether by night or by day, and with respect to the registration of cars, and the entry of particulars, including particulars of the ownership of the car, in the register, and the giving of those particulars and for making any particulars contained in the register available for use by the police, and for making the registration of a car void if the regulations as to registration are not complied with ; and

"(b) with respect to the licences to be granted by the Councils of counties or county boroughs under this Act, and in particular with respect to the register to be kept of those licences and the renewal of licences, and for providing special facilities for granting licences to persons not resident in the United Kingdom, and for communicating particulars thereof to adjoining and other county or county borough councils, and for making any particulars with respect to any persons whose licences are suspended or endorsed available for use by the police, and for preventing a person holding more than one licence."

"(2) The Councils of counties and county boroughs shall comply with any regulations so made by the Local Government Board, and may if authorised by those regulations and in accordance therewith charge in respect of the entry of particulars of the ownership of a car on change of ownership such fee, not exceeding ten shillings, as may be prescribed by the regulations,

and in respect of the issue of a new licence in the place of a licence lost or defaced such fee not exceeding one shilling as may be prescribed by the regulations."

And whereas by Section 18 of the Act of 1903 it is enacted that—

"In the application of this Act to Scotland—

"(1) A reference to the Secretary for Scotland shall be substituted for a reference to the Local Government Board; and

"(2) A reference to the Council of a royal, parliamentary, or police burgh, containing within its boundaries, as ascertained, fixed, or determined for police purposes, a population according to the census for the time being last taken of or exceeding fifty thousand, shall be substituted for a reference to the Council of a county borough, and every other burgh shall be deemed to form part of the county within which it is situate."

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Now therefore in pursuance of the powers given to me by the Act of 1896 and the Act of 1903, and by any other Statutes in that behalf, I the Right Honourable Andrew Graham Murray, His Majesty's Secretary for Scotland, Do by this Order make the following Regulations, and Direct that the same shall have effect for the purpose of bringing the Act of 1903 into operation and giving effect to that Act :—

PART I.

Registration of Motor Cars.

Article 1.—The Council of every county in Scotland and the Council of every royal parliamentary or police burgh in Scotland containing within its boundaries as ascertained fixed or determined for police purposes, a population according to the census for the time being last taken of or exceeding fifty thousand (herein-after referred to as "a registering burgh") shall establish and keep a Register (herein-after referred to as "the Register of Motor Cars") for the registration of motor cars.

The index mark distinguishing the Council of the county or registering burgh with which a motor car is registered shall, as respects the Council of each county or registering burgh, be the letter or letters shown opposite to the name of that Council in the First Schedule to this Order.

The Register of Motor Cars shall be in the form set out in the Second Schedule to this Order, or in a form to the like effect.

The Council of any county or registering burgh may, if they think fit, keep the Register of Motor Cars in two parts, one part relating to motor cars not being motor cycles, and the other part relating to motor cycles.

Article 2.—The owner of a motor car who desires to register it with the Council of any county or registering burgh shall apply to the Council, and shall furnish them with the particulars set out in the Form in the Third Schedule to this Order. A fee of twenty shillings in the case of a motor car not being a motor cycle, or of five shillings in the case of a motor cycle, being the fee prescribed by the Act of 1903, shall be paid before the motor car can be registered.

Article 3.—The Council, on receipt of any such application, and the particulars and fee above referred to, shall forthwith assign a separate number to the motor car, and register it by making the required entries in the Register of Motor Cars. The Council, on the registration of a motor car, shall forthwith furnish the owner of the motor car with a copy of the entries in the Register relating to the motor car.

Article 4.—If the ownership of a motor car is changed, notice of the change shall be given either by the new or the old owner to the Council with whom the motor car is registered, and an application shall also be made either to cancel the registration of the car or to continue the existing registration under the new ownership.

If an application is so made to cancel the registration of the motor car, and no application is made to continue the existing registration of the car, the registration of the car shall be cancelled accordingly, but if an application is made to continue the existing registration of the car, the new owner shall furnish the necessary particulars as to ownership, and on receipt of a fee of five shillings in the case of a motor car not being a motor cycle, or of one shilling in the case of a motor cycle (which fees the Council are hereby authorised to charge), the Council shall cause the necessary alterations to be made in the Register of Motor Cars, and shall furnish the new owner with a copy of the altered entries in the Register.

Any notice may be given or application or alteration made under this Article before the date of the actual change of ownership so as to take effect from that date.

If the provisions of this Article as to notice and application are not complied with the registration of the motor car shall be void.

Article 5.—If any circumstance (other than a change of ownership dealt with in the preceding Article) occurs in relation to any motor car which affects the accuracy of any particulars entered as respects that car in the Register of Motor Cars, the owner of the motor car shall forthwith inform the Council with whom it has been registered, and on receipt of such information, the Council shall forthwith cause the entries respecting that motor car in the Register of Motor Cars to be amended accordingly, and shall furnish the owner

with a copy of the entries as so amended. No fee shall be charged by the Council in respect of any amendment of entries or transmission of a copy of entries under this Article.

Article 6.—If the Council are satisfied that a motor car which has been registered with them is destroyed, broken up, or permanently removed from the United Kingdom, or registered with another registering authority under the Act of 1903, or if the owner of a registered motor car by application in writing requests them to cancel the registration thereof (except where in the case of a change of ownership, there is an application to continue the existing registration) they shall cause the entries in the Register of Motor Cars with respect to the motor car to be cancelled, and may, if they think fit, assign the registered number of the motor car to any other motor car whether belonging to the same or any other owner.

Article 7.—The mark to be carried by a registered motor car, in pursuance of Section 2 of the Act of 1903 (in this Order referred to as the identification mark), shall consist of two plates which must conform as to lettering, numbering, and otherwise, with the provisions set out in the Fourth Schedule to this Order.

Designs, painted or otherwise, shown upon the motor car may, if it is desired, be used instead of plates, and any reference to plates in this Order shall be construed to include a reference to such designs, and any reference to the fixing of plates to include a reference to the painting or other delineation of the designs.

Article 8.—The plates forming the identification mark shall be fixed, one on the front of, and the other on the back of, the motor car, in an upright position, so that every letter or figure on the plate is upright and easily distinguishable, in the case of the plate placed on the front of the motor car, from in front of the car, and, in the case of the plate placed on the back of the motor car, from behind the car.

In the case of a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, the plate fixed on the front of the cycle may, if it is a plate having duplicate faces conforming with the Fourth Schedule to this Order, be fixed so that from whichever side the cycle is viewed the letters or figures on one or other face of the plate are easily distinguishable, though they may not be distinguishable from the front of the cycle.

Subject to the provisions of this Article, the plates forming the identification mark shall be fixed on the motor car in the position indicated in the particulars given on the application for the registration of the motor car, or subsequently furnished to the registering Council, or if that Council are not satisfied with the position so indicated, in such a position as they direct.

So long as the provisions of this Order are complied with, different identification plates may be used on a motor car by day and night or on different occasions.

Article 9.—When another vehicle is attached to a motor car, either in front or behind, the plate required to be fixed on the front or on the back of the motor car, or a duplicate of such plate, shall be fixed on the front or on the back of the vehicle attached, as the case requires, in the same manner as the plate is required to be fixed upon the motor car.

Article 10 —A Council with whom a motor car is registered may, if they think fit, supply to the owner of the car, if he so desires, the plates forming the identification mark on the car, and make a charge for them.

Article 11.—Whenever during the period between one hour after sunset and one hour before sunrise a motor car is used on a public highway, a lamp shall be kept burning on the car, so contrived as to illuminate by means of reflection, transparency, or otherwise, and render easily distinguishable every letter or figure on the identification plate fixed on the back of the motor car or of any vehicle attached to the back of the motor car, as the case may be.

In the application of this Article to a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, the plate fixed on the front of the motor car may, if desired, be substituted for the plate fixed on the back of the motor car.

Article 12.—If the Council of any county or registering burgh assign to a manufacturer or dealer a general identification mark under proviso (b) to subsection (4) of Section 2 of the Act of 1903, the mark shall be such as the Council direct in each case. Provided that—

- (a) It shall consist of two plates, each bearing the index mark of the Council and some other distinguishing letter or letters; and each having placed thereon or annexed thereto some distinguishing number; and
- (b) The colouring of the plates shall be different from that used for the plates forming the ordinary identification mark; and
- (c) The lettering and numbering of the plates shall, so far as possible, be similar to those required in the case of the plates forming the ordinary identification mark.

On every occasion on which the general identification mark is used on a motor car, the manufacturer or dealer shall keep a record of the distinguishing number placed on or annexed to the identification plates on that occasion, and of the name and address of the person driving the motor car on that occasion, and that record shall be open to inspection by the Council, by a procurator fiscal or burgh prosecutor, or by

any superior officer of police or constable authorised by such an officer.

If the general identification mark is used at the same time on more than one motor car, the distinguishing number placed on or annexed to the plates must be different on each motor car.

The provisions of this Order which relate to the fixing and illumination of identification plates shall apply to the plates forming the general identification mark as they apply to the plates forming the ordinary identification mark.

The Council shall keep a Register of any general identification marks so assigned by them which shall contain the following particulars :—

- (a) the name of the manufacturer or dealer to whom the general identification mark is assigned ;
- (b) the place of business of the manufacturer or dealer ; and
- (c) a description of the general identification mark assigned to him.

Article 13.—The Council shall, upon application being made to them by any other registering authority under the Act of 1903, or by any police authority, or by the Crown Agent, or by any procurator fiscal or burgh prosecutor, or by any superior officer of police or constable authorised by such an officer, forthwith provide, free of charge, a copy of the entries in their Register of Motor Cars relating to any specified motor car, or of the entries in their Register of general identification marks relating to any specified manufacturer or dealer. The Council shall also supply to any other person applying for a copy of the entries relating to any specified motor car, a copy of those entries, on payment of a fee of one shilling, if he shows that he has a reasonable cause for requiring such a copy.

An officer of the Inland Revenue Department may, without charge, at all reasonable times, inspect the Register of Motor Cars and take copies of any entries in it.

PART II.

Licences.

Article 14.—A person who desires to obtain the grant or renewal of a licence to drive a motor car or of a licence limited to driving motor cycles under the Act of 1903 shall apply to the Council of the county or the registering burgh in which he resides, and furnish them with the particulars set out in Form A. or Form B. in the Fifth Schedule to this Order as the case requires.

The fee of five shillings prescribed by the Act of 1903 shall be paid before the applicant is entitled to receive the licence or renewal.

Applications for the grant or renewal of a licence may be received and dealt with at any time within one month before the date on which the grant or renewal of the licence is to take effect.

Article 15.—The licence and renewal of a licence shall respectively be in the form set out for the purpose in the Sixth Schedule to this Order, or in a form to the like effect.

Article 16.—If any person applies to the Council of a county or registering burgh for the grant of a licence, and the Council are satisfied that he has no residence in the United Kingdom, the Council shall, if the applicant is otherwise entitled, grant him a licence, notwithstanding that he is not resident within their county or burgh.

Article 17.—If a person to whom a licence has been granted by the Council of a county or registering burgh satisfies that Council that his licence or any renewal of it has been lost or defaced, the Council shall, on payment of a fee of one shilling, issue to him a duplicate licence, or renewal (including, in the case of a duplicate licence, any particulars endorsed or entered upon the original licence under the Act of 1903 or this Order), and the duplicate so issued shall have the same effect as the original licence or renewal, as the case may be.

Article 18.—The Council of every county and registering burgh in Scotland shall establish and keep a Register of Licences in the form set out in the Seventh Schedule to this Order, or in a form to the like effect.

Article 19.—Any registering Council shall upon application being made to them by any other licensing authority under the Act of 1903, or by any police authority or by the Crown Agent, or by any procurator fiscal or burgh prosecutor, or by any superior officer of police or constable authorised by such officer, forthwith provide, free of charge, a copy of the particulars in their Register of Licences relating to any licence granted by them.

Upon receiving from any Court, in pursuance of Section 4 of the Act of 1903, particulars of any conviction of the holder of a licence granted by the Council, and of the Order of the Court in the case, the Council shall cause a copy of such particulars and Order to be sent, free of charge, to the police authority for the area in which the holder of the licence resides.

PART III.

Supplemental.

Article 20.—The clerk of the Council and any other officer authorised by the Council are respectively empowered to per-

form any duty or exercise any power of the Council for the purpose of carrying this Order into effect.

Article 21.—The provisions of this Order shall apply in the case of a roadway to which the public are granted access in the same manner as they apply in the case of a public highway.

Except where the contrary intention appears, the expression “motor car” in this Order includes a motor cycle.

In calculating for the purpose of this Order the weight of a motor car or motor cycle unladen, the weight of any water, fuel, or accumulators used for the purpose of propulsion shall not be included.

The Interpretation Act, 1889*, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

Article 22.—This Order applies to Scotland only, and may be cited as the Motor Car Registration and Licensing (Scotland) Order, 1903.

* 52 & 53 Vict. c. 63:

First Schedule.

Registering Council.	Index Mark.	Registering Council.	Index Mark.
1.	2.	1.	2.
County Council of—		County Council of—	
Aberdeen	S.A.	Orkney	R.S.
Argyll	S.B.	Peebles	D.S.
Ayr	S.D.	Perth	R.S.
Banff	S.E.	Renfrew	H.S.
Berwick	S.H.	Ross and Cromarty	J.S.
Bute... ..	S.J.	Roxburgh	K.S.
Caithness	S.K.	Selkirk	L.S.
Clackmannan	S.L.	Stirling	M.S.
Dumfries	S.M.	Sutherland	N.S.
Dumbarton	S.N.	Wigtown	O.S.
Elgin	A.O.	Zetland	P.S.
Fife	S.P.		
Forfar	S.R.	Town Council of—	
Gaddington	S.S.	Aberdeen... ..	R.S.
Inverness	S.T.	Dundee	T.S.
Kincaidine	S.U.	Edinburgh	S.
Kinross	S.V.	Glasgow	G.
Kirkcudbright	S.W.	Govan	U.S.
Lanark	V.	Greenock... ..	V.S.
Linlithgow	S.X.	Leith	W.S.
Midlothian... ..	S.Y.	Paisley	X.S.
Nairn	A.S.	Partick	Y.S.

*Second Schedule.**Register of Motor Cars.*

COUNTY [OR BURGH] OF _____.

Index Mark and Number on Identification Plates.	Full Name of Owner and Postal Address of his usual Residence.	Description or Type of Car.	(a) Type and Colour of Body of Car.	Weight unladen.	Whether intended for—			Date of Registration.	If Cancelled, Date of Cancellation.
					(a) Private use.	(b) Use for Trade Purposes.	(c) Use as a Public Conveyance.		
1.	2.	3.	4.	5.				7.	8.

(*) In the case of a motor cycle this column will not be filled in.

*Third Schedule.**Form of Particulars to be given by Applicant for Registration of a Motor Car.*

COUNTY [or BURGH] of _____

1. Full name of owner.	
2. Postal address of usual residence of owner.	
3. Description or type of car (a).	
4.—(b) Type and colour of body of car (c).	
5. Weight unladen.	
6. Whether intended for— (a) Private use, or (b) Use for trade purposes, or (c) Use as a public conveyance.	
7. Particulars as to the position on the car in which it is proposed to place the plates forming the identification mark.	

*Signature of owner or person }
applying on his behalf.*

Date of Application

(a.) e.g., a 12-h.p. car, or a steam lorry, or electric brongham, or motor bicycle, with the addition in each case, of the name of the maker, or name by which the type is ordinarily known.

(b. In the case of a motor cycle, particulars under this head need not be given.

(c.) e.g., tonneau body painted yellow, or dog-cart body painted black picked out with red, or van body painted blue with the name of the firm upon it.

Fourth Schedule.

Alternative Diagram No. 1.



Alternative Diagram No. 2.



The alternative diagrams above are specimen plates drawn, approximately, to a scale of one-third. The actual size of the plates will, however, differ according to the number of letters and figures required.

Provisions to be complied with.

(1.) Each plate must be rectangular and bear upon it the index mark of the Council with whom the motor car is registered, and the separate number assigned to the motor car by that Council, the mark and number being arranged in conformity with the arrangement of letters and figures shown on one or other of the alternative diagrams.

(2.) The two plates may, at the option of the owner, be of either of the shapes shown in the alternative diagrams, or one of one shape and one of the other.

(3.) The ground of the plate must be black, the letters and figures must be white.

(4.) All letters and figures must be three and a half inches high ; every part of every letter and figure must be five eighths of an inch broad ; and the total width of the space taken by every letter or figure, except in the case of the figure 1, must be two and a half inches.

(5.) The space between adjoining letters and between adjoining figures must be half an inch, and there must be a margin between the nearest part of any letter or figure and the top and bottom of the plate of at least half an inch, and between the nearest part of any letter or figure and the sides of the plate of at least one inch.

(6.) In the alternative diagram No. 1, the space between the upper and lower line must be three quarters of an inch. In the alternative diagram No. 2, the space between the letters and the figures must be one and a half inches.

(7.) In the case of the plates for a motor tricycle or motor bicycle of a weight unladen not exceeding three hundredweights, each of the dimensions mentioned above must be halved, and the shape of the plate need not be rectangular so long as the *minimum* margin between any letter or figure and the top, bottom, and sides of the plate is preserved.

Fifth Schedule.

FORM A.

* *Particulars to be given by Applicant for Licence.*

COUNTY [or BURGH] of _____

1. Full name of applicant.	
2. Postal address of residence of applicant.	
3. Whether application is for licence to drive a motor car, or for licence limited to driving motor cycles.	
4. Whether applicant is less than seventeen years of age, or in the case of an application limited to driving motor cycles, whether he is less than fourteen years of age.	
5. Whether applicant is the holder of a licence, or has at any time previously been the holder of a licence.	
6. Particulars of any licence which the applicant holds or which he has previously held.	
7. Particulars of any endorsement on any licence which the applicant holds or which he has previously held.	
8. Whether applicant has at any time been disqualified for obtaining a licence. If so, particulars as to the court by whom, the date on which, and the period for which the disqualification was imposed.	

Signature of Applicant _____ .

Date of Application _____ .

* In the case of an application made before the 1st of January, 1904, the particulars under the first four heads only need be given.

*Fifth Schedule—continued.***FORM B.**

Particulars to be given by Applicant for Renewal of Licence.

COUNTY [or COUNTY BOROUGH] of

1. Number of the licence.
2. Postal address of residence of applicant.
3. Whether applicant has, since date of last grant or renewal of the licence, been disqualified for obtaining a licence.

*Signature of Applicant*_____

*Date of Application*_____

Sixth Schedule.

Form of Licence.

No. _____.

MOTOR CAR ACT, 1903.

County
or
County Borough } of _____.

LICENCE TO DRIVE A MOTOR CAR (or MOTOR CYCLE).

A.B., of _____, is hereby licensed to drive a
MOTOR CAR (or MOTOR CYCLE only) for the period of twelve months
from the _____ day of _____ until the _____ day of _____
inclusive

Secretary or Clerk to the County Council
or Town Clerk or duly authorised Officer.

N.B.—Particulars of any endorsement of any licence previously held by the person
licensed must be entered on the back of this licence.

Form of Renewal of Licence.

This licence (Licence No.* _____, granted by the Council of the County
[or County Borough] of _____, under the Motor Car Act, 1903) is
hereby renewed, so as to be in force for twelve months from the _____
day of _____ until the _____ day of _____ inclusive.

Secretary or Clerk to the County Council
or Town Clerk or duly authorised Officer.

* NOTE.—If the holder of the licence furnishes the County Council with his licence for the
purpose, the renewal must be entered upon the licence. It will otherwise be a separate document.

*Seventh Schedule.**Register of Licences.*

COUNTY [or COUNTY BOROUGH] of _____

Number of Licence. 1.	Full Name of Licensee. 2.	Postal Address of Residence of Licensee. 3.	Whether 4.		Date of Grant and of Expiration. 5.	Particulars of Renewal. 6.	Particulars of any Endorse- ments on the Licence entered in pursuance of the Motor Car Act, 1903, or the Motor Car (Registration and Licensing) Act (Ireland) Order, 1903. 7.
			(a) To drive a Motor Car.	(b) Limited to driving Motor Cycles.			

Given under our Seal of Office this twenty-third day of
November, in the year of our Lord One thousand
nine hundred and three.

(L.S.)

H. A. Robinson.

LONDON, COUNTY.*

- | | |
|-------------------------------|-------------------------------|
| 1. <i>Authorities</i> , p. 1. | 3. <i>Valuation</i> , p. 144. |
| 2. <i>Poor</i> , p. 144. | |

1. Authorities.

- (a) *Justices at Quarter Sessions*, p. 1.
- (b) *London County Council*, p. 11.
- (c) *Metropolitan Borough Councils*, p. 21.

(a) Justices at Quarter Sessions.

ORDER OF THE SECRETARY OF STATE, DATED MARCH 24, 1892,
APPROVING SCHEME OF THE LONDON COUNTY COUNCIL
FOR REGULATING THE HOLDING OF QUARTER SESSIONS
FOR THE COUNTY OF LONDON, AS PROVIDED BY SEC-
TION 42 (7) OF THE LOCAL GOVERNMENT ACT, 1888.†

Generally.

1. The provisions of the Act 11 Geo. IV. & 1 Will. IV. c. 70,† as to the times for holding quarter sessions shall not apply to the county of London.

2. Quarter sessions shall be held at Clerkenwell and at Newington in the months of January, April, July, and October in every year, and the first session held in each of those months shall be general quarter sessions. [51 & 52 Vict. c. 41. s. 116.]

3. Adjourned quarter sessions shall be held at Clerkenwell in each of the months aforesaid at an interval of not less than two weeks or more than three weeks after the beginning of each quarter sessions held at Clerkenwell.

4. Adjourned quarter sessions shall be held at Newington in the months of February, May, August, and November.

5. A general session shall be held at Clerkenwell in every month except in the months herein-before appointed for the holding of quarter sessions at Clerkenwell.

* The Orders relating to the London Police Courts are printed under the title "Metropolitan Police Courts," those relating to Hackney Carriage, Police, and Traffic under the title "Metropolitan City and Police Districts," and those relating to the Metropolitan Water Board under the title "Metropolitan Water Area."

† 51 & 52 Vict. c. 41.

‡ The Law Terms Act, 1830.

6. General sessions shall be held at Newington in the months of March, June, September, and December in every year, and oftener, if need be.

7. An adjourned general session shall be held at Clerkenwell for the disposal of business arising on the north side of the River Thames, in every month (except in the months herein-before appointed for the holding of quarter sessions at Clerkenwell), and shall begin at an interval of not less than two weeks or more than three weeks after the beginning of the general session.

8. In the month of November in every year the clerk of the peace for the county of London shall prepare lists showing the days to be fixed for the sessions to be held at Clerkenwell and Newington respectively during the ensuing year, in accordance with the foregoing provisions. In the lists so to be prepared special days shall be appointed for hearing appeals. The lists so to be prepared shall be laid before the November general sessions at Clerkenwell and the December general sessions at Newington respectively, and shall be revised and settled by such sessions respectively, and be printed on one paper in two parts or divisions, and be issued by the clerk of the peace for the county of London; and sessions in accordance with such lists, when so revised and settled, shall be held during the year at Clerkenwell and Newington respectively. Provided that during the tenure of office of the existing clerk of the peace for the county of Surrey the list of the sessions to be held at Newington shall be prepared by him on a separate list [51 & 52 Vict. c. 41. s. 118 (10)], and such list, when revised and settled as aforesaid, shall be printed as a separate paper, and issued by him, and not by the clerk of the peace of the county of London.

9. The sessions so fixed shall, so far as practicable, be continued from day to day until the business to be dealt with at such sessions is completed. And it shall be the duty of the justices to take the steps necessary to secure that there shall be as many Courts sitting at the same time as may be required for the discharge of the business with proper expedition.

For this purpose—

- (a) So long as the present chairman holds office, in addition to the Court presided over by the chairman, there may be a second Court, to be presided over by a person nominated in accordance with 14 & 15 Vict. c. 55.* s. 15; and on the direction of the County Council, approved by the Secretary of State, in pursuance of Sect. 42 (6) of the Local Government Act, 1888, a third Court, to be presided over either by a deputy, as prescribed by

* The Criminal Justice Administration Act, 1851.

37 Vict. c. 7.* s. 3, or by one of the justices; and a fourth Court to be presided over by one of the justices. Any of the above Courts may be held at the same time at Clerkenwell and at Newington, and, subject to the provisions of this scheme, shall be so held whenever necessary to prevent delay in the disposal of pending business; but only one nomination may be made under 14 & 15 Vict. c. 55. s. 15, and only one under 37 Vict. c. 7. s. 3.

- (b) Upon the present chairman ceasing to hold office there may be held at the same time at Clerkenwell and at Newington separate Courts of quarter sessions, and each of such Courts may divide itself into two or more Courts, as may be necessary.

10. Every Court of sessions of the peace held at Clerkenwell and at Newington, and every adjournment thereof, shall have the same jurisdiction in every respect, including the power of hearing and determining appeals, as if such Court were quarter sessions, and every session shall, as circumstances require, be deemed to be quarter or general sessions, and, if held at different places, to be original or adjourned sessions, and, if held simultaneously at two or more places, to be divided Courts of the same session. [51 & 52 Vict. c. 41. s. 42 (6), and s. 116 (c).]

11. The clerk of the peace for the county of London shall (save as herein-after mentioned) take all necessary and proper steps to convene all sessions, and shall issue all necessary precepts to the sheriff to secure the due attendance there of the grand and petty juries; provided that during the tenure of office of the existing clerk of the peace for the county of Surrey all such duties shall, as respects the sessions to be held at Newington, be performed by him.

12. Upon the present clerk of the peace for Surrey ceasing to hold office, the clerk of the peace for the time being of the county of London shall perform all the duties which are by law or by this scheme imposed upon the clerk of the peace for Surrey in respect of the county of London. [51 & 52 Vict. c. 41. s. 118 (10).]

13. Cases triable at quarter sessions, and all other business to be disposed of at quarter sessions, and arising on the north side of the River Thames, shall be heard, determined, and disposed of at the sessions held at Clerkenwell; and cases triable at quarter sessions and all other business to be disposed of at quarter sessions and arising on the south side of the River Thames shall be heard, determined, and disposed of at the sessions held at Newington. [51 & 52 Vict. c. 41. s. 116 (b.).]

14. All depositions, recognisances, notices, and other documents and things relating to cases triable, or business to be

* The Middlesex Sessions Act, 1874, repealed by the Statute Law Revision Act, 1898.

disposed of at quarter sessions and required by law to be transmitted to quarter sessions or to the clerk of the peace, shall, in respect of all cases and matters arising north of the River Thames, be transmitted to the clerk of the peace for the county of London; and in respect of all cases and matters arising south of the River Thames shall be transmitted to the present clerk of the peace for the county of Surrey, and upon his ceasing to hold office shall be transmitted to the clerk of the peace for the time being of the county of London. [51 & 52 Vict. c. 41. s. 116 (b).]

15. It shall be the duty of the justices to take care that the above provisions for the disposal of business arising north and south respectively of the River Thames shall, so far as reasonably practicable, be strictly observed. Nevertheless, a committal for trial or recognisance shall not be invalidated, nor shall the powers of the sessions be affected, by any disregard of the provisions of this scheme as to the place or time of trial, and every Court of sessions held in and for the county of London, at whatever place or time such Court is held, shall have complete power to hear, determine, and dispose of any case or matter arising in the county of London, notwithstanding an objection that such case or matter ought to be heard and determined at the sessions held at another place or at another time. [51 & 52 Vict. c. 41. s. 116 (b).]

16. Nothing in this scheme shall affect or take away any power given by law to the present chairman of quarter sessions, or to the present clerk of the peace for the county of London, or to the present clerk of the peace for the county of Surrey. [51 & 52 Vict. c. 41. s. 117 (5), and s. 118 (8), (10).]

As to Appeals under the Valuation (Metropolis) Act, 1869.

1. At every adjourned January quarter sessions held at Clerkenwell, sittings of the Court shall be fixed to hear appeals under the Valuation (Metropolis) Act, 1869.* [51 & 52 Vict. c. 41. s. 41 (10).]

2. Such sittings shall begin not earlier than the 1st February then next, and shall be so arranged as to enable the Court to determine all appeals (except where a valuation list or valuation is ordered) before the ensuing 31st March.

3. The Court shall at the same session appoint, with the consent of the Local Government Board, a clerk and other persons to assist the sessions in the performance of their duties under the Act. [32 & 33 Vict. c. 67. s. 25.†]

4. A separate list shall be prepared of appeals relating to property in the City of London, and prior to the hearing of such appeals the clerk of the Court (appointed under Order 3) shall send seven days' previous notice to the clerk of the peace of the City of London, for the information of the mem-

* 32 & 33 Vict. c. 67.

† The Valuation (Metropolis) Act, 1869.

bers of the Court of quarter sessions of the City of London appointed by that Court to attend and sit as members of the quarter sessions for the county of London upon the hearing of such appeals. [51 & 52 Vict. c. 41. s. 42 (10).]

5. Appeals may be heard at Clerkenwell, or at Newington, or in the City of London, or at some or all of such places, at the same time, or at different times, as the Court shall from time to time determine. [32 & 33 Vict. c. 67. s. 27.]

6. At every April quarter session held at Clerkenwell, the Court shall assign the remuneration (subject to the approval of the Local Government Board) of the clerk and other officers appointed as aforesaid for the year ended the 31st March. [32 & 33 Vict. c. 67. s. 25.]

7. A separate account shall be kept of the expenses incurred by the sessions in respect of the exercise of its jurisdiction under the Act, and such account, made up to the 31st March in every year, shall be submitted to and be examined by the Court of the April quarter sessions held at Clerkenwell.

8. Such account, when approved by the Court, shall be submitted by the clerk of the Court (appointed under Order 3), for such audit as may be directed by the Local Government Board, with a view that the same, when audited, may be paid in manner prescribed by the Valuation (Metropolis) Act, 1869. [32 & 33 Vict. c. 67 s. 50.]

1st March, 1892.

Sealed by Order,

H. De la Hooke,
Clerk of the Council.

L.S.

I hereby approve the foregoing scheme.

Henry Matthews,
One of Her Majesty's Principal Secretaries
of State.

Home Office, Whitehall, March 24, 1892.

ORDERS MADE APRIL 18, 1898, BY THE CHAIRMAN OF QUARTER SESSIONS OF THE COUNTY OF LONDON, AND APPROVED JUNE 13, 1898, BY THE SECRETARY OF STATE, REGULATING THE PROCEEDINGS ON APPEALS UNDER THE VALUATION (METROPOLIS) ACT, 1869,* AND DETERMINING THE RECOGNIZANCES TO BE ENTERED INTO BY APPELLANTS.

1. On an appeal to special sessions from the decision of an assessment committee, the appellant and one surety shall, within seven days after giving notice of appeal, enter into recognizances in the sum of £20 each, before a justice of the peace for the county, conditioned for the due prosecution of the appeal, and for the payment of any costs ordered by the special sessions to be paid by the appellant.

Appellants to
Special Ses-
sions to enter
into recog-
nizances.

* 32 & 33 Vict. c. 67.

Deposit in
lieu of recog-
nizances at
Special
Sessions.

2. In lieu of entering into the recognizances prescribed by Order 1, the appellant may, within the same period, deposit with the clerk of the Special Sessional Division the sum of £20, as security for the due prosecution of the appeal and for the payment of costs, and the order of special sessions, upon hearing and determining the appeal, shall direct in what manner, to what persons, and in what amounts such sum shall be applied and paid.

Appellants to
Quarter Ses-
sions to enter
into recog-
nizances.

3. On an appeal to quarter sessions from the decision either of an assessment committee or of special sessions, the appellant and two sureties shall, within seven days after giving notice of appeal, enter into recognizances before a justice of the peace for the county, conditioned for the due prosecution of the appeal, and for the payment of any costs ordered by quarter sessions to be paid by the appellant, and the amount of such recognizances shall be determined by such justice, having regard to the nature of the appeal, so that the amount be not less than 50%.

Deposit in
lieu of recog-
nizances at
Quarter
Sessions.

4. In lieu of entering into the recognizances prescribed by Order 3, the appellant may, within the same period, pay into the London and Westminster Bank (Head Office), to a joint account in the names of the chairman of the Court and of the clerk of the Court, the sum of 50%, and the receipt given by the bank for such payment shall be deposited with the clerk of the Court, and shall be filed by him in proof of such payment. Before making such payment, a *precipe* shall be obtained from the clerk of the Court.

Recognizances
not required of
Assessment
Committees, &c.
Mode of enter-
ing Appeals
at Quarter
Sessions.
Respondents
at Quarter
Sessions to
give notice of
intention to
appear.

5. Orders 1 to 4, both inclusive, shall not apply to assessment committees, overseers, or surveyors of taxes.

6. Appeals to quarter sessions shall be entered by lodging with the clerk of the Court, on or before the 14th January, a copy of the notice of appeal.

7. In an appeal to quarter sessions, the person or persons claiming to appear as respondents, shall give notice in writing of his or their intention to appear, and shall state in the notice whether he, or they, intend to appear separately, or as joint respondents with any other person or persons; and such notice shall be delivered to the clerk of the Court, and served on the appellant, within fourteen days after the time limited by Order No. 6 for the entry of the appeal, and the person or persons omitting to give such notice shall not be heard, unless by special leave of the Court, until he or they shall have given such notice or complied with such terms as the Court may think fit to direct or impose.

The expression "person or persons" in this Order shall extend to and include a ratepayer, an occupier, a surveyor of taxes, an assessment committee, overseers, and any body of persons authorised by law to levy rates or require contributions payable out of rates.

Appellants and
Respondents
at Quarter
Sessions to
state Cases.

8. On, or before, the 1st February next following the entry of an appeal to quarter sessions, the appellant shall state his case and the facts to be proved, and the points of law (if any)

to be argued in support of the case, and shall deliver to the clerk of the Court 10 copies thereof for the use of the Court, and shall serve one copy on each respondent; and, in like manner, each respondent shall, on or before the same day, state his case, and the facts to be proved, and the points of law (if any) to be argued in support of the case, and shall deliver, in like manner, 10 copies thereof for the use of the Court, and shall serve one copy on the appellant.

Provided that this Order shall not apply to an appeal in which the total rateable value appealed against does not exceed 300l.

9. The appellants' and respondents' cases shall be lithographed or printed on judicature paper, bookwise, or on white paper of the same size, and shall be endorsed longways; and the notice of appeal and all other documents supplied for the use of the Court, or required to be delivered to the clerk of the Court, shall be written, lithographed or printed and endorsed as aforesaid.

Paper and
Printing.

10. Every document supplied for the use of quarter sessions, or filed with the clerk of the Court, shall contain, at the top of the first page, and on the endorsement, the year and reference number of the appeal.

Papers to bear
reference
number.

11. When the terms of an Order to be made in any appeal to quarter sessions have been agreed upon by the parties, particulars of such terms, signed by the parties or their solicitors shall be filed with the clerk of the Court, and, at the next, or some subsequent sitting of the Court, an Order may be made in accordance with such terms, upon motion made by either party, with the consent of the other party.

Consent
Orders.

12. Notices of motion to quarter sessions shall be served two clear days before the Court is moved, unless by special leave of the Court, and a copy of the notice shall be filed with the clerk of the Court.

Notices of
motion.

13. Applications required to be made, and consents required to be given, at quarter sessions, shall be made and given by counsel in open Court.

Audience by
Counsel.

14. One counsel only for each party to the appeal shall be heard at quarter sessions, unless by special leave of the Court.

One Counsel
only to be
heard.

15. On appeals to quarter sessions, the counsel for the appellant shall begin, except when a surveyor of taxes is the appellant, in which case the counsel for the respondents shall begin. In cases in which there shall be more than one respondent claiming to appear separately, their counsel shall be heard in the order determined by the Court at the time.

Counsel for
Appellant to
begin.

16. No Order shall be made at quarter sessions affecting the gross value of a hereditament, until proof has been given, orally or by affidavit, that notice of appeal has been served upon the surveyor of taxes.

Orders affect-
ing gross
value.

17. When an Order made by quarter sessions involves an alteration in the valuation list, the alteration shall not be initialled by the chairman until the Order has been completed and taken up.

Initialling
valuation lists.

Costs to be
taxed.

18. The costs ordered by quarter sessions to be paid by any of the parties to the appeal, shall be taxed, in the usual manner, by the clerk of the Court before the Order is settled.

Review of
taxation.

19. If the party ordered to pay the costs of an appeal is dissatisfied with the taxation of costs by the clerk of the Court, such party may carry in objections to the taxation, and the procedure thereupon shall be the same as in the High Court, so far as is practicable.

Solicitors to
attend on
settling Order
of Court.
Extension of
time.

20. The solicitors of the parties shall attend the Clerk of the Court, on settling any Order of the Court, at a time to be fixed by him, and shall produce all necessary papers.

21. The dates and times prescribed by these Orders (except where fixed by statute) may be extended or varied in appeals to quarter sessions by the Court of Quarter Sessions, upon such terms and conditions as to costs or otherwise as the Court may think fit.

Service of
documents.

22. The provisions of Section 65 of the Act with respect to the service of Orders and Notices under the Act shall apply to all documents required to be served under these Orders.

Interpretation.

23. Such of the expressions in these Orders as are the same as those used in the Act, shall respectively bear the interpretation given to them by the Act.

W. R. McConnell,

Chairman of Quarter Sessions.

18th April, 1898.

Approved.

M. W. Ridley,

One of Her Majesty's

Principal Secretaries of State.

Whitehall,

13th June, 1898.

Form of Recognition on Appeal to Quarter Sessions or Special Sessions.

In the County of London.

Special Sessional Division.

We, the undersigned, severally acknowledge ourselves to owe to our Sovereign Lady the Queen, the several sums following, namely
of as Principal, the sum of £
and of and of
as sureties, the sum of £ each to be levied on our
several goods, lands, and tenements, if the said Principal fail in the condition
hereunder written.

Signed {

Taken at
County of London, the
day of
before me

in the
, 1 , }

Justice of the Peace for the County aforesaid,

Quarter Sessions.

9

CONDITION.

The condition of the above recognizance is such that, if the above bounden Principal shall duly prosecute an appeal to the Court of Quarter Sessions for the county of London, under the Valuation (Metropolis) Act, 1869,* and the Local Government Act, 1888,† in respect of certain hereditaments described in the valuation list for the parish of _____ in the county of London, as _____ and shall duly pay the costs which may be ordered by the said Court to be paid by him, then this recognizance shall be void, but otherwise shall remain in full force.

N.B.—This form may be adapted to an Appeal to Special Sessions.

Notice of the Recognizance must be given to the Principal and to each Surety.

Deposit in lieu of Recognizance on Appeal to Special Sessions.

In the County of London.

Special Sessional Division.

I _____ of _____ acknowledge that I have this day deposited with the Clerk of the above-mentioned Division the sum of 20*l.* to be held by him as security in lieu of a recognizance to duly prosecute an appeal to the justices of the Special Sessional Division above-mentioned under the Valuation (Metropolis) Act, 1869, in respect of certain hereditaments described in the valuation list of the parish of _____ in the county of London as _____

and I undertake duly to prosecute such appeal as aforesaid and to pay the costs which may be ordered by the said justices to be paid by me. And I consent to the said clerk holding the above-mentioned sum until the above conditions are performed. And I authorize him to apply and pay the said sum in such manner, to such persons, and in such amounts as the said justices shall direct.

Dated this _____ day of _____, 1 _____
Signed _____

Witness to the signature
of the said _____

TABLE OF FEES MADE APRIL 18, 1898, BY THE CHAIRMAN OF QUARTER SESSIONS OF THE COUNTY OF LONDON, AND APPROVED JUNE 13, 1898, BY THE SECRETARY OF STATE, TO BE PAID TO CLERKS OF SPECIAL SESSIONS ON APPEALS TO SPECIAL SESSIONS UNDER THE VALUATION (METROPOLIS) ACT, 1869.*

Drawing notice of special sessions or of any adjournment.	s. d. 5 0
---	--------------

(Preparing and forwarding by post to each Justice residing and acting within the Division and to the Overseers of each parish within the Division, a duplicate of such notice, 2*s.* 6*d.* each, the total amount being divided proportionately among the parishes comprised in the Division, and the proportion due from each parish to be paid by the Overseers).

* 32 & 33 Vict. c. 67.

† 51 & 52 Vict. c. 41.

	s.	d.
Recognizances by appellant and two sureties	-	6 0
Notices to sureties and appellant (each)	-	1 0
Upon making a deposit in lieu of recognizances	-	2 6
Entering appeal (including hearing and witnesses)	-	10 0
Drawing and recording Order	-	5 0
If exceeding 5 folios, at per folio	-	1 0
Certified Order for the parties	-	5 0
If exceeding 5 folios, at per folio	-	0 4
Minutes of Order for perusal	-	2 6
If exceeding 5 folios, at per folio	-	0 4
Upon repayment of deposit	-	2 6
Taxation of costs	-	10 0
Each subpoena	-	5 0

W. R. McConnell,
Chairman of Quarter Sessions.
18th April, 1898.

Approved.

M. W. Ridley,
One of Her Majesty's
Principal Secretaries of State.

Whitehall,
13th June, 1898.

TABLE OF FEES MADE APRIL 18, 1898, BY THE CHAIRMAN
OF QUARTER SESSIONS OF THE COUNTY OF LONDON,
AND APPROVED JUNE 13, 1898, BY THE SECRETARY OF
STATE TO BE PAID TO THE CLERK OF THE COURT
ON APPEALS TO QUARTER SESSIONS UNDER THE VALUA-
TION (METROPOLIS) ACT, 1869.*

	s.	d.
Entering appeal	-	5 0
Hearing fee	-	13 4
Upon making a deposit in lieu of recognizances	-	5 0
Drawing and recording every Order of Court	-	5 0
If exceeding 5 folios, at per folio	-	1 0
Certified Order of Court for the parties	-	2 6
If exceeding 5 folios, at per folio	-	0 4
Minutes of Order for perusal	-	2 6
If exceeding 5 folios, at per folio	-	0 4
Drawing special case at per folio	-	1 0
Attending chairman settling case, for every hour's attendance.	10	0
Copy of the case as settled, at per folio	-	0 4
Attending chairman for signature	-	10 0

* 32 & 33 Vict. c. 67.

London County Council.

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Taxation of costs, one shilling for every 2 <i>l.</i> or fraction of 2 <i>l.</i> of the amount of the bill as taxed.	s.	d.
Upon repayment of deposit - - - - -	5	0
Each subpoena - - - - -	5	0
Filing each document required to be filed - - -	2	6
Printed list of appeals, each copy- - - - -	1	0
Printed orders and tables of fees, each copy - - -	1	0

W. R. McConnell,
Chairman of Quarter Sessions.
18th April, 1898.

Approved.

M. W. Ridley,
One of Her Majesty's
Principal Secretaries of State.

Whitehall,
13th June, 1898.

(b.) London County Council.

Finance.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED OCTOBER 19, 1894, PRESCRIBING FORM OF PRECEPT UNDER SECTION 2 OF THE LONDON (EQUALISATION OF RATES) ACT, 1894.*

1894. No. 737.

To the County Council of the Administrative County of London;
To the Guardians of the Poor of the several Poor Law Unions comprised in the said county;
To the Treasurer and Masters of the Bench of each of the Honourable Societies of the Inner Temple, the Middle Temple, Lincoln's Inn, and Gray's Inn;
And to all others whom it may concern.

Whereas we, the Local Government Board, are required by Section 2 of the London (Equalisation of Rates) Act, 1894,* by order to prescribe the forms of contribution orders, precepts, demand notes, and receipts so far as seems to us to be necessary for stating therein as a separate item any equalisation charge, and any credit in respect of a receipt under the Act, which affects the sum named therein:

* 57 & 58 Vict. c. 53.

Now, therefore, we, the Local Government Board, in pursuance of the powers conferred upon us in that behalf, hereby order as follows:—

The precept which the London County Council from time to time issue for the contributions for county purposes, and which include any equalisation charge for the purposes of the equalisation fund formed under the authority of the above-cited Act, shall be in the Forms (1), (2), or (3) set forth in the schedule to this Order, or in forms to the like effect.

Schedule.

Form (1).

Form of Precept (Union).

Administrative }
County of London, }
to wit.

To the Guardians of the Poor of the Union.

These are to require you, the guardians of the poor of the said union, from and out of the moneys paid into the hands of the treasurer of the said union for the uses and purposes of the said union, to pay or cause to be paid into the hands of A.B., treasurer of the said county appointed to receive the same, the sum of pounds shillings and pence, being the aggregate of the amounts assessed and charged as set out in the schedule hereto on the several parishes comprised in the said union for or in respect of a county rate made at a meeting of the London County Council held this day at the County Hall, Spring Gardens.

And these are further to require you to pay or cause to be paid the said sum of in manner aforesaid* [by the instalments and within the periods following; that is to say, the sum of (being the whole of the total amount of the equalisation charge, together with one-half of the total of the contributions for general and special county purposes as respectively set out in the said schedule) on or before the day of , 189 , and the remainder of the said sum of], on or before the day of , 189 .

* If the precept is issued in respect of equalisation charges only, omit the words in brackets, and the second, third, and fourth columns in the schedule.

Given under the seal of the London County Council this day of , 1894.

Sealed by Order.

L. S.

Clerk of the London County Council.

The Schedule.

General and Special County Contributions.			Equalisation Fund under the London (Equalisation of Rates) Act, 1891.			Total Amount of Precept.
Contribution for General County purposes at in the Pound.	Contribution for Special County purposes at in the Pound.	Totals.	Contribution for Fund at 3d. in the Pound.	Grant due from Fund.	Equalisation Charge.	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.

Form (3).

Form of Precept.

Administrative
County of London, }
to wit.

To the Treasurer and Masters of the Bench of the Honourable Society of , and to the Overseers of the Poor of

These are to require you, the said treasurer and masters of the Bench, and overseers, from and out of the moneys paid into the hands of the said treasurer for the uses and purposes of the said society, to pay or cause to be paid into the hands of A.B., treasurer of the said county, appointed to receive the same, the sum of pounds shillings and pence, being the aggregate of the amounts assessed and charged as set out in the schedule hereto on the said society for or in respect of a county rate made at a meeting of the London County Council held this day at the County Hall, Spring Gardens.

And these are further to require you to pay or cause to be paid the said sum of in the manner aforesaid * [by the instalments and within the periods following, that is to say, the sum of (being the whole of the equalisation charge, together with one-half of the total of contributions for the general and special county purposes as respectively set out in the said schedule) on or before the day of 189 , and the remainder of the said sum of] on or before the day of , 189 .

Given under the seal of the London County Council, this day 1894.

(L.S.)

Sealed by Order.

Clerk of the London County Council.

* If the precept is issued in respect of an equalisation charge only, omit the words in brackets and the first three columns in the schedule.

Equalisation of Rates.

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The Schedule.

General and Special County Contributions.			Equalisation Fund under the London (Equalisation of Rates) Act, 1894.			Total Amount of Precept.
Contribution for General County purposes at in the Pound.	Contribution for Special County purposes at in the Pound.	Totals.	Contribution for Fund at 3d. in the Pound.	Grant due from Fund.	Equalisation Charge.	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.

Given under the seal of office of the Local Government Board this nineteenth day of October, in the year One thousand eight hundred and ninety-four.

(L.S.) G. Shaw-Lefevre,
President.

S. B. Provis,
Assistant Secretary.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED JULY 18, 1895, PRESCRIBING FORM OF ACCOUNT OF RECEIPTS AND EXPENDITURE UNDER SECTION 1 (7) OF THE LONDON (EQUALISATION OF RATES) ACT, 1894.*

1895. No. 929.

To the several Sanitary Authorities in the County of London;—

And to all others whom it may concern.

Whereas by Sub-section (7) of Section 1 of the London (Equalisation of Rates) Act, 1894,* it is enacted as follows:—

(7.) "Every sanitary authority to whom a sum is paid under this Act in any year shall, within the prescribed time after the following thirty-first day of March, render to the Local Government Board a true account in the prescribed form showing, for the twelve months preceding the said day, the total amount of the sum so paid, and

* 57 & 58 Vict. c. 53

the total amount of the expenses incurred by the authority under each of the following heads:—

- “(a) under the Public Health (London) Act, 1891;
- “(b) in respect of lighting; and
- “(c) in respect of streets;

and showing the amount expended in respect of each head out of the sums paid to such authority under this Act.”

And whereas by Section 4 of the said Act it is enacted that the expression “sanitary authority” has the same meaning as in the Public Health (London) Act, 1891,^{*} but does not include the Port Sanitary Authority, and that the expression “prescribed” means prescribed by the Local Government Board:

Now, therefore, we, the Local Government Board, in pursuance of the powers conferred upon us in that behalf, hereby Order as follows:—

The account to be rendered to us by every sanitary authority to whom a sum is paid under the said London (Equalisation) of Rates Act, 1894,[†] shall be in the form in the schedule to this Order, and shall be rendered to us within three months from the thirty-first day of March in each year.

Provided that with regard to the account to be rendered in respect of the year ended the thirty-first day of March, One thousand eight hundred and ninety-five, such account shall be rendered to us by each such sanitary authority within one month from the date of this Order.

* 54 & 55 Vict. c. 76.

† 57 & 58 Vict. c. 53.

Equalisation of Rates :—Form.

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Schedule. LONDON (EQUALISATION OF RATES) ACT, 1894. Year ended 31st March, 189 .

Name of Sanitary Authority _____

Total Amount received from the London County Council under the Act by the Sanitary Authority during the Year.	Total Amount of the Expenses incurred by the Sanitary Authority during the Year.					Amount expended out of the Sums received from the London County Council under the Act by the Sanitary Authority during the Year.		
	Under the Public Health (London) Act, 1891 (including Expenses of Scavenging Streets).	In respect of Lighting.	In respect of Streets (other than the Expenses of Scavenging Streets).	Total.	Under the Public Health (London) Act, 1891 (including Expenses of Scavenging Streets).	In respect of Lighting.	In respect of Streets (other than the Expenses of Scavenging Streets).	Total.
1.	2.	3.	4.	5.	6.	7.	8.	9.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.

I hereby certify that the above is a true account.

Dated the day of , 189 .

Clerk (or Accountant) to Sanitary Authority.

Given under the seal of office of the Local Government Board, this eighteenth day of July, in the year One thousand eight hundred and ninety-five.

(L.S.)

Henry Chaplin,

• *S. B. Provis,*
Assistant Secretary.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED SEPTEMBER 5, 1895, PRESCRIBING FORMS OF CONTRIBUTION ORDERS, DEMAND NOTES, AND RECEIPTS UNDER SECTION 2 OF THE LONDON (EQUALISATION OF RATES) ACT, 1894.*

1895. No. 475.

To the Guardians of the Poor of the several Poor Law Unions wholly or partly comprised in the Administrative County of London;—

To the Overseers of the Poor of the several Parishes comprised in the said County;—

To the several Sanitary Authorities in the said County;—
And to all others whom it may concern.

Whereas we, the Local Government Board, are required by Section 2 of the London (Equalisation of Rates) Act, 1894,* by Order to prescribe the forms of contribution orders, precepts, demand notes, and receipts so far as seems to us to be necessary for stating therein as a separate item any equalisation charge, and any credit in respect of a receipt under the Act, which affects the sum named therein :

Now, therefore, we, the Local Government Board, in pursuance of the powers conferred upon us in that behalf, hereby order as follows :—

Contribution Orders.

Article 1.—Any contribution order hereafter made by the guardians of the poor of any of the said poor law unions on the overseers of any parish for any sum which shall include an equalisation charge for the purposes of the equalisation fund, formed under the authority of the above-cited Act, shall contain a note in the following form, or in a form to the like effect :—

<i>Note.</i> —The sum of £	directed by this order,
to be paid on the	day of
includes a sum of £	in respect of the
equalisation charge for the purposes of the equalisation	

* 57 & 58 Vict. c. 53.

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Contribution to equalisation fund at 3d. in the pound -	-	-	-
Deduct grant from equalisation fund -	-	-	-

Equalisation charge - - - £

(a) under the Public Health (London) Act, 1891,† or
(b) in respect of lighting, or
(c) in respect of streets.

shall, if such sum is less by reason of any amount paid to the sanitary authority from the said equalisation fund, contain a note in one of the following forms, or in a form to the like effect :—

Where the district of the sanitary authority comprises one parish only.

Note.—In computing the sum of £ directed by this Order to be paid on the day of , credit has been given for the sum of £ received on the day of , 18 , by the [*insert the name of the sanitary authority*] from the equalisation fund authorised by the London (Equalisation of Rates) Act, 1894.

Where the district of the sanitary authority comprises two or more parishes.

Note.—In computing the sum of £ _____ directed
by this Order to be paid on the _____
day of _____, credit has been given for the
sum of £ _____ being the amount apportioned
to the parish by the [*insert the name of the sanitary
authority*] in respect of the sum of £ _____
received by them from the equalisation fund authorised
by the London (Equalisation of Rates) Act, 1894, on
the _____ day of _____ 18 ____.

* 57 & 58 Vict. c. 53.

† 54 & 55 Vict. c. 76.

Article 3.—Any demand note for any poor rate levied wholly or partly to meet any such contribution Order as aforesaid, made by the guardians of the poor of any of the said poor law unions, shall contain a statement as to the equalisation charge in the following form, or in a form to the like effect :—

Total amount levied on the parish for the purposes of the equalisa- tion charge	-	-	-
---	---	---	---

and there shall be appended to the said statement a note in the following form, or in a form to the like effect:—

Note.—The contribution from the parish to the equalisation fund, authorised by the London (Equalisation of Rates) Act, 1894, is - - - -
Deduct grant from equalisation fund - - - -
Net amount levied by the London County Council for the purposes of the equalisation charge - - - -

The amount of the rate hereby demanded is, by reason of such charge, greater to the extent of in the £ than it otherwise would have been.

Article 4.—Any demand note for any rate levied wholly or partly to meet any such Order as aforesaid, made by any of the said sanitary authorities who have received any payment from the equalisation fund which affects the sum for which the rate is levied, shall contain a note in one of the following forms, or in a form to the like effect.

Where the district of the sanitary authority comprises one parish only.

Note.—The sum of £ has been received by
the [insert the name of the sanitary authority] from
the London County Council out of the equalisation
fund authorised by the London (Equalisation of Rates)
Act, 1894. The amount of the rate hereby demanded
is, by reason of such receipt, less to the extent of
in the £ than it otherwise would have been.

Where the district of the sanitary authority comprises two or more parishes.

Note.—The sum of £ _____ has been received by
the [*insert the name of the sanitary authority*] from

the London County Council out of the equalisation fund authorised by the London (Equalisation of Rates) Act, 1894, of which sum £ have been credited to the parish. The amount of the rate hereby demanded is, by reason of the sum so credited to the parish, less to the extent of in the £ than it otherwise would have been.

Receipts.

Article 5.—Any receipt given for any such poor rate as is mentioned in Article 3 of this Order shall, if the amount received includes any sum in respect of an equalisation charge, contain a statement as to the equalisation charge in the following form, or in a form to the like effect:—

	£	s.	d.
Total amount levied on the parish			
for the purposes of the equalisa-			
tion charge - - -			

Given under the seal of office of the Local Government Board, this fifth day of September, in the year One thousand eight hundred and ninety-five.

(L.S.)

Henry Chaplin,
President.

Hugh Owen,
Secretary.

(c.) Metropolitan Borough Councils.

- | | |
|---|---|
| (i) <i>Constitution, Powers, and Elections</i> , p. 21. | (ii) <i>Finance</i> , p. 75.
(iii) <i>Officers and Offices</i> , p. 127. |
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(i.) Constitution, Powers, and Elections.

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| (a) <i>Constitution and Powers</i> , p. 21. | (b) <i>Elections</i> , p. 39. |
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(a.) Constitution and Powers.

THE LONDON (MISCELLANEOUS) SCHEME, 1900, APPROVED BY ORDER IN COUNCIL OF AUGUST 7, 1900.

1900. No. 604.

Whereas by various Orders in Council under the London Government Act, 1899* (in this scheme referred to as the Act), twenty-eight metropolitan boroughs are, as from the commencement of those Orders, established and a council for each such borough is established and incorporated,† and, for the

* 62 & 63 Vict. c. 14.

† See the 28 Orders in Council establishing the Metropolitan Boroughs, and incorporating their Councils, registered and printed as Statutory Rules and Orders, 1900, Nos. 380–407 inclusive.

purpose of adjusting the boundaries of the boroughs and of giving effect to the provisions of the Act, various parts of existing parishes are by those Orders, and by other Orders in Council relating to detached parts of parishes,* annexed to other parishes.

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision amongst other things—

- (a) for any matters which under the Act are to be regulated by scheme; and
- (b) for any of the purposes except police for which a scheme may be made under Part II of the Municipal Corporations Act, 1882,† so far as those purposes are consistent with the Act; and
- (c) for anything which may be done with respect to a parish by an Order under Section 57 of the Local Government Act, 1888;‡ and
- (d) for preserving, so far as may appear necessary or expedient, any right, power, exemption, or immunity heretofore exercised or enjoyed in respect of property belonging to or occupied by the Crown or any Government department; and
- (e) for carrying into effect the Act or any Order in Council made thereunder;

and may contain any incidental consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas under the said Orders in Council establishing metropolitan boroughs the maps described in those Orders are to be deposited with the clerk of the London County Council and with the town clerk of each metropolitan borough, as in those Orders mentioned, and the maps so to be deposited with the clerk of the County Council have before the confirmation of this scheme been so deposited.

And whereas by each of the said Orders in Council it is provided that the Order shall, save as otherwise provided by a scheme under the Act, come into operation on the day on which the first election of borough councillors under the Act is held: Provided that, if with respect to any purpose or provision of the Act the Lord President of the Council appoints some other day as the appointed day for that purpose or

* See the list of such Orders (all of which are registered and printed as Statutory Rules) in Statutory Rules and Orders, 1900, p. 988.

† 45 & 46 Vict. c. 50.

‡ 51 & 52 Vict. c. 41.

provision, the Order shall, so far as it relates to that purpose or provision, come into operation on the day so appointed.

And whereas by Section 4 of the Act it is amongst other things enacted that the powers of a borough council shall, save as in the Act mentioned, extend to the whole of their borough. Provided that any power or duty of the council under any Act whether general or local conferring powers in relation to some particular parish or district or part of a parish or district shall be exercised and performed by the council either throughout the borough or in a limited part thereof or shall cease to be exercised and performed as may be provided by a scheme under the Act having regard to the object of the Act under which the power or duty arises and to the nature of any change of area or alteration of boundary made by or under the Act.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order and declare as follows:—

1.—(1.) In this scheme unless the context otherwise requires—

The expression “Orders” means the said Orders in Council.

The expression “existing parish” means a parish as it exists immediately before the day on which the first election of borough councillors under the Act is held.

(2.) The Interpretation Act, 1889,* applies for the purpose of the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

(3.) This scheme shall have effect subject to the provisions of any future scheme made under the Act.

2.—(1.) The clerk of the County Council shall as soon as may be after the confirmation of this scheme send free of cost—

Deposited
maps.

(a) to the Board of Agriculture a copy of each of the maps so deposited with him as aforesaid; and

(b) to the board of guardians of every poor law union a copy of such of those maps as relate to parishes in the union; and

(c) to the town clerk within the meaning of the enactments relating to the registration of electors of every parliamentary borough in London a copy of such of those maps as relate to parishes in the parliamentary borough for which he acts as town clerk.

(2.) The provisions of the Orders which relate to copies of, extracts from, and inspection of the maps deposited with the

clerk of the County Council shall come into operation immediately on the confirmation of this scheme.

(3.) Copies of, or extracts from, any map deposited with the town clerk of any metropolitan borough in accordance with the provisions of the Orders, certified by him to be true, shall be received in all courts of justice and elsewhere as evidence of the contents of that map so far as any alteration of area effected by the Orders is shown thereon, and any person shall be entitled to a copy of, or extract from, any such map so far as it shows any such alteration, certified by the town clerk to be true, on payment for every such copy or extract of the fee prescribed in that behalf by the council of the metropolitan borough, and any sum received from any such fees shall be paid to the treasurer of that borough.

Byelaws, &c.

3. The byelaws, orders, and regulations, and the tables of fees made by any authority whose powers and duties are transferred to the councils of metropolitan boroughs and in force in any existing parish immediately before the day on which the first election of borough councillors under the Act is held shall, as from the day on which the first borough councillors elected under the Act come into office, and until altered or revoked, continue and be in force in the parish as altered by the Orders, and shall cease to be in force in such parts of the existing parish as will cease to form part thereof.

Provided that—

- (a) all byelaws, regulations, orders, consents, conditions, and notices made, given, imposed, or issued by any such authority, and having reference to any particular hereditaments in any area by or under the Act annexed to any parish in a metropolitan borough shall be of the same validity and force as if they had been made, given, imposed, or issued by the council of that borough; and
- (b) where a metropolitan borough comprises more than one parish and different byelaws, orders, and regulations are under the provisions of this section in force in the different parishes, the council of the borough shall as soon as may be after the first borough councillors come into office make the byelaws, orders and regulations of general application uniform throughout the borough.

Registration districts.

37 & 38 Vict,
c 88.

4. The Registrar-General may at any time after the confirmation of this scheme, in accordance with the provisions of Section 21 of the Births and Deaths Registration Act, 1874, make such alterations of the districts of registrars as he thinks expedient in consequence of the alteration of the areas of existing parishes and poor law unions by or under the Act, but the alterations so made by the Registrar-General shall not take effect until the twenty-sixth day of March One thousand nine hundred and one.

5. Except so far as any electoral division for the purpose of County Council and school board elections, coroner's district, or petty sessional division, or the metropolitan police court district or any division thereof, is altered by the Orders or any scheme under the Act in consequence of any change in the area of a county effected by or under the Act, nothing in the Orders shall affect any such electoral divisions, or any coroner's district, or petty sessional division, or the metropolitan police court district or any division thereof :

County and school board electoral divisions, coroners' districts, petty sessional divisions, and police court district.

Provided that nothing in this section shall prejudice the exercise hereafter of any subsisting power of altering any of the said areas by any future scheme under the Act or otherwise.

6. Nothing in or done under the Act shall affect or prejudice any right, power, exemption, or immunity, heretofore exercised or enjoyed in respect of property belonging to, or occupied by, the Crown or any Government Department.

Crown exemption.

7. Until Parliament otherwise determines—

Supply of electricity.

- (1.) Nothing in the orders or in any scheme shall affect the powers or area of supply of any local authority or person supplying or having power to supply electricity; and
- (2.) Notwithstanding anything in the Act, the powers and duties of the council of a metropolitan borough to supply electricity under any Act, whether general or local, shall be exercised and performed only within the area forming the area of supply under the general or local Act.

8. Nothing in the Orders or any scheme under the Act shall affect—

Savings.

- (a) the area of any ecclesiastical parish or district; or
- (b) the right to the benefit of any charity; or
- (c) the powers or area of supply of any person or body of persons supplying or having power to supply gas or water; or
- (d) any exclusive right of burial, or any right of one or more burials, or any right of placing any monument, tablet, or gravestone, or any similar right, which any person may have acquired before the day on which the first election of borough councillors under this Act is held, in or in relation to any burial ground belonging to any existing parish, or to the burial board of any existing parish.

9. This scheme may be cited as the London (Miscellaneous) Scheme, 1900.

Short title.

THE LONDON (ADAPTATION OF ENACTMENTS) ORDER IN
COUNCIL, 1900.

1900. No. 607.

At the Court at Osborne House, Isle of Wight, the
7th day of August, 1900.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by section thirty-three of the London Government Act, 1899* (in this Order referred to as the Act), it is amongst other things enacted that subject to the provisions of any scheme under the Act, and to such adaptations as may be made by Order of Council, sections eighty-five to eighty-eight of the Local Government Act, 1894,† shall apply in the case of metropolitan boroughs and metropolitan borough councils under the Act.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to Her by the Act, and of all other powers enabling Her in that behalf, for the purposes aforesaid, is pleased to order, and it is hereby ordered as follows :—

1. For the purposes of the Act sections eighty-five to eighty-eight of the Local Government Act, 1894, shall be adapted in the form and manner set forth in the schedule to this Order.

2. This Order may be cited as the London (Adaptation of Enactments) Order in Council, 1900.

A. W. Fitzroy.

Schedule.

LOCAL GOVERNMENT ACT, 1894.

Section 85.

(1.) Every rate and precept for contributions made before the appointed day may be assessed, levied and collected, and proceedings for the enforcement thereof taken, in like manner as nearly as may be as if the Act had not passed.

(2.) The accounts of all receipts and expenditure before the appointed day of every authority whose powers and duties are by or under the Act transferred to the councils of metropolitan boroughs shall be audited, and disallowances, surcharges, and penalties recovered and enforced, and other

* 62 & 63 Vict. c. 14.

† 56 & 57 Vict. c. 73.

consequential proceedings had, in like manner as nearly as may be as if the Act had not passed, and every authority, committee, or officer whose duty it is to make up any accounts, or to account for any portion of the receipts or expenditure in any account, and the auditors elected to audit the accounts of any such authority shall, until the audit and any proceedings connected therewith are completed, be deemed for the purpose of such audit to continue in office, and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as before the appointed day.

Provided that the audit shall be held as soon as practicable after the appointed day, or in the case of an authority whose accounts are audited by an auditor appointed by the Local Government Board, at such time as that Board may determine.

(3.) All proceedings, legal and other, commenced before the appointed day, may be carried on in like manner, as nearly as may be, as if the Act had not passed, and any such legal proceedings may be amended in such manner as may appear necessary or proper in order to bring it into conformity with the provisions of the Act, and of any order or scheme made thereunder.

Section 86.

(1.) Nothing in or done under the Act shall prejudicially affect any securities granted before the passing of the Act on the credit of any rate or property transferred to a council by or under the Act; and all such securities, as well as all unsecured debts, liabilities, and obligations incurred by any authority in the exercise of any powers or in relation to any property transferred from them to a council shall be discharged, paid, and satisfied by that council.

(2.) It shall be the duty of every authority whose powers, duties, and liabilities are transferred by or under the Act to liquidate, so far as practicable before the appointed day, all current debts and liabilities incurred by such authority.

Section 87.

All such byelaws, orders, and regulations of any authority, whose powers and duties are transferred by or under the Act to any council, as are in force at the time of the transfer, shall, so far as they relate to or are in pursuance of the powers and duties transferred, continue in force as if made by that council, and may be revoked or altered accordingly.

Section 88.

(1.) If at the time when any powers, duties, liabilities, debts, or property are by or under the Act transferred to a council, any action or proceeding, or any cause of action or

proceeding, is pending or existing by or against any authority in relation thereto, the same shall not be in anywise prejudicially affected by the passing of the Act or by anything done thereunder, but may be continued, prosecuted, and enforced by or against the council as successors of the said authority in like manner as if the Act had not been passed.

(2.) All contracts, deeds, bonds, agreements, and other instruments subsisting at the time of the transfer in this section mentioned, and affecting any of such powers, duties, liabilities, debts, or property, shall be of as full force and effect against or in favour of the council, and may be enforced as fully and effectually as if, instead of the authority, the council had been a party thereto.

N.B.—*The application of above provisions is subject to the provisions of any scheme under the Act, whether made before or after the confirmation of this Order.*

THE LONDON (ADOPTIVE ACTS) SCHEME, 1900. APPROVED
BY ORDER IN COUNCIL OF AUGUST 7, 1900.

1900. No. 601.

Whereas by various Orders in Council under the London Government Act, 1899* (in this scheme referred to as the Act), twenty-eight metropolitan boroughs are, as from the commencement of those Orders, established, and a council for each such borough is established and incorporated,† and, for the purpose of adjusting the boundaries of the boroughs and of giving effect to the provisions of the Act, various parts of existing parishes are by those Orders, and by certain other Orders under the Act relating to detached parts of parishes,‡ annexed to other parishes.

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Section 4 of the Act it is amongst other things enacted that where any of the Adoptive Acts is adopted within a metropolitan borough, the borough council shall be the authority for administering that Act, and where any such Act has been adopted before the appointed day, and is administered by commissioners or a board, a scheme under the Act shall abolish the commissioners or board, and transfer their powers, duties, property, and liabilities to the borough

* 62 & 63 Vict. c. 14.

† See the 28 Orders in Council establishing the Metropolitan Boroughs and incorporating their Councils, registered and printed as Statutory Rules and Orders 1900, Nos. 380–407 inclusive.

‡ See the list of such Orders (all of which are registered and printed as Statutory Rules) in Statutory Rules and Orders, 1900, p. 988.

council, and that the powers of a borough council shall, save as in the Act mentioned, extend to the whole of their borough. Provided that any power or duty of the council under any Act, whether general or local, conferring powers in relation to some particular parish* or district, or part of a parish or district, shall be exercised and performed by the council either throughout the borough or in a limited part thereof, or shall cease to be exercised and performed, as may be provided by a scheme under the Act, having regard to the object of the Act under which the power or duty arises and to the nature of any change of area or alteration of boundary made by or under the Act.

And whereas the Baths and Washhouses Acts, 1846 to 1896,* have been adopted in the existing parishes mentioned in the first schedule to this scheme and are in those parishes administered by the authorities specified in the second column of that schedule.

And whereas the Burial Acts, 1852 to 1885,† have been adopted in the existing parishes mentioned in the second schedule to this scheme and are in those parishes administered by the authorities specified in the second column of that schedule.

And whereas the Public Libraries Acts, 1892 and 1893,‡ have been adopted in the existing parishes mentioned in Part I. and in the districts mentioned in Part II. of the third schedule to this scheme and are in those parishes and districts administered by the authorities specified in the second column of those parts of that schedule respectively.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order and declare as follows :—

1.—(1.) In this scheme the expression “existing parish” means a parish as it exists immediately before the day on which the first election of borough councillors under the Act is held ; and the expression “parish” in relation to a metropolitan borough means a parish as altered by any of the said Orders in Council under the Act.

Interpretation
and effect of
scheme.

(2.) The Interpretation Act, 1889,§ applies for the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

* 9 & 10 Vict. c. 74 ; 10 & 11 Vict. c. 61 ; 41 & 42 Vict. c. 14 ; 45 & 46 Vict. c. 30 ; and 59 & 60 Vict. c. 59.

† 15 & 16 Vict. c. 85 ; 16 & 17 Vict. c. 134 ; 17 & 18 Vict. c. 87 ; 18 & 19 Vict. c. 128 ; 20 & 21 Vict. c. 35 ; 20 & 21 Vict. c. 81 ; 22 Vict. c. 1 ; 23 & 24 Vict. c. 64 ; 25 & 26 Vict. c. 100 ; 34 & 35 Vict. c. 33 ; 43 & 44 Vict. c. 41 ; and 48 & 49 Vict. c. 21.

‡ 55 & 56 Vict. c. 53 ; 56 & 57 Vict. c. 73.

§ 52 & 53 Vict. c. 63.

(3.) This scheme shall have effect subject to the provisions of any future scheme made under the Act, and in particular to the provisions of any such scheme* defining the extent to which the Public Libraries Act, 1892 and 1893, are to be in force within the metropolitan borough of Paddington, and providing for the efficient maintenance of the public library situate in a part of the parish of St. Luke Chelsea which is under one of the said Orders annexed to the metropolitan borough and parish of Paddington.

Abolition of
Commissioners
and Boards
under Adoptive
Acts.

2. The Commissioners for Public Baths and Washhouses and for Public Libraries and Museums and the Burial Boards administering any of the Adoptive Acts in any existing parish or district in London shall, as from the appointed day, cease to exist, and their powers and duties, and, subject to any adjustment under the London (Financial Arrangements) Scheme, 1900,† their property and liabilities and their existing officers shall as from that day be transferred to the council of the metropolitan borough comprising the existing parish or district or the greater part thereof.

Provided that the public baths, and the public library, situate in the part of the parish of St. Luke Chelsea so annexed to the parish of Paddington as aforesaid, together with the fittings and furniture of the same, and the existing officers employed solely or mainly in, about, or in connexion with, the same shall be transferred to the council of the metropolitan borough of Paddington, and any question as to whether an officer is so transferred under this proviso shall be determined by the Commissioners appointed under the Act.

Extent of
the Baths and
Washhouses
Acts.

3. The Baths and Washhouses Acts, 1846 to 1896, shall as from the appointed day—

- (a) be in force throughout the metropolitan boroughs mentioned in Part I. of the fourth schedule to this scheme; and
- (b) be in force in such parts of the metropolitan boroughs mentioned in Part II. of that schedule as are comprised in the parishes specified in the second column thereof and not in any other parts of those boroughs; and
- (c) not be in force in any part of the metropolitan boroughs mentioned in Part III. of that schedule.

Extent of the
Burial Acts.

4.—(1.) The Burial Acts, 1852 to 1885 (so far as they are not in force in any place unless adopted), shall as from the appointed day—

- (a) be in force throughout the metropolitan boroughs mentioned in Part I. of the fifth schedule to this scheme; and

* The Borough of Paddington (Chelsea Library) Scheme was confirmed by Order in council, dated March 25th, 1901, printed as Statutory Rules and Orders, 1901, No. 260.

† Printed at p. 75 below.

- (b) be in force in such parts of the metropolitan boroughs mentioned in Part II. of that schedule as are comprised in the parishes specified in the second column thereof and not in any other parts of those boroughs; and
- (c) not be in force in any of the metropolitan boroughs mentioned in Part III. of that schedule.

(2.) For the purposes of the Act and of this scheme the making of an Order in Council pursuant to a petition by the council of a metropolitan borough under Section 1 of the Burial Act, 1854, as applied by the Act, shall be deemed an adoption of the Burial Acts, 1852 to 1885. 17 & 18 Vict. c. 87.

5. The Public Libraries Acts, 1892 and 1893, shall as from the appointed day— Extent of the Public Libraries Acts.

- (a) be in force throughout the metropolitan boroughs mentioned in Part I. of the sixth schedule to this scheme; and
- (b) be in force in such parts of the metropolitan boroughs mentioned in Part II. of that schedule as are comprised in the parishes specified in the second column thereof; and
- (c) not be in force in any part of the metropolitan boroughs mentioned in Part III. of that schedule.

6. Where any of the Adoptive Acts are in force in part only of a metropolitan borough, councillors representing wards in which any such Acts are not in force shall not be members of any committee of the council appointed for the purposes of such Acts. Application of Acts in force in part only of a borough.

7. Nothing in this scheme shall affect the power under Section 4 of the Act of adopting in the future any of the Adoptive Acts in the whole or any part of any metropolitan borough in which, according to the provisions of this scheme, those Acts are not to be in force. Saving of future adoption of Adoptive Acts.

8. This scheme may be cited as the London (Adoptive Acts) Scheme, 1900. Short title.

*Schedules.**First Schedule.*

EXISTING PARISHES IN WHICH THE BATHS AND WASHHOUSES ACTS 1846
TO 1896 HAVE BEEN ADOPTED, AND THE AUTHORITIES AT PRESENT
ADMINISTERING THOSE ACTS.

Parishes in which Acts have been adopted.	Authorities to whom Acts administered.
St. Matthew Bethnal Green - - - - -	Vestry.
Camberwell - - - - -	Vestry.
St. Luke Chelsea - - - - -	Commissioners.
St. John Hampstead - - - - -	Vestry.
St. Mary Islington - - - - -	Vestry.
St. Mary Abbotts Kensington - - - - -	Commissioners.
St. Mary Lambeth - - - - -	Vestry.
Paddington - - - - -	Vestry.
St. Marylebone - - - - -	Vestry.
St. Pancras - - - - -	Vestry.
St. Leonard Shoreditch - - - - -	Vestry.
St. Mary Battersea - - - - -	Vestry.
Fulham - - - - -	Vestry.
St. John at Hackney - - - - -	Vestry.
St. Paul Deptford - - - - -	Vestry.
Whitechapel - - - - -	Commissioners.
St. George-in-the-East - - - - -	Commissioners.
Ratcliff - - - - -	Vestry.
Bermondsey - - - - -	Vestry.
Rotherhithe - - - - -	Vestry.
All Saints Poplar - - - - -	Vestry.
St. Mary Stratford Bow - - - - -	Vestry.
Bromley St Leonard - - - - -	Vestry.
Clapham - - - - -	No administrative authority.
Streatham - - - - -	No administrative authority.
Wandsworth - - - - -	Commissioners.
St. Margaret and St. John Westminster - - - - -	Vestry.
St. George Hanover Square - - - - -	Vestry.
St. Martin-in-the-Fields - - - - -	Commissioners.
St. James Westminster - - - - -	Vestry.
Lewisham - - - - -	Vestry.
Lee - - - - -	No administrative authority.
St. Saviour Southwark - - - - -	Commissioners.
St. Mary Newington - - - - -	Vestry.
Woolwich - - - - -	Local Board.
Plumstead - - - - -	Commissioners.
Greenwich - - - - -	Vestry.
St. Nicholas Deptford - - - - -	Commissioners.
St. Giles-in-the-Fields - - - - -	Commissioners.
St. George Bloomsbury - - - - -	Commissioners.

Second Schedule.

EXISTING PARISHES IN WHICH THE BURIAL ACTS 1852 TO 1885 HAVE BEEN ADOPTED, AND THE AUTHORITIES AT PRESENT ADMINISTERING THOSE ACTS.

Parishes in which Acts have been adopted.	Authorities by whom Acts administered.
Camberwell - - - - -	Vestry.
St. John Hampstead - - - - -	Vestry.
St. Mary Islington - - - - -	Vestry.
St. Mary Abbots Kensington - - - - -	Burial Board.
St. Mary Lambeth - - - - -	Vestry.
Paddington - - - - -	Vestry.
St. Marylebone - - - - -	Vestry.
St. Pancras - - - - -	Vestry.
St. Leonard Shoreditch - - - - -	Vestry.
St. Mary Battersea - - - - -	Vestry.
Fulham - - - - -	Vestry.
Hammersmith - - - - -	Vestry.
St. Paul Deptford - - - - -	Burial Board.
Lewisham - - - - -	Vestry.
Lee - - - - -	Burial Board.
{ St. Margaret and St. John Westminster	Vestry.
{ St. George Hanover Square - - - - -	Vestry.
{ St. Anne Westminster - - - - -	Burial Board.
{ Wandsworth - - - - -	Burial Board.
{ Clapham - - - - -	Burial Board.
{ Putney - - - - -	Burial Board.
{ Streatham - - - - -	Burial Board.
Woolwich - - - - -	Local Board.
Plumstead - - - - -	Burial Board.
St. Mary Stoke Newington - - - - -	Vestry.
{ St. Mary Newington - - - - -	Vestry.
{ St. Saviour Southwark - - - - -	Burial Board.
{ Greenwich - - - - -	Burial Board.
{ Charlton - - - - -	Burial Board.

Third Schedule.

PART I.

EXISTING PARISHES IN WHICH THE PUBLIC LIBRARIES ACTS 1892 AND 1893 HAVE BEEN ADOPTED, AND THE AUTHORITIES AT PRESENT ADMINISTERING THOSE ACTS.

Parishes in which Acts have been adopted.	Authorities by whom Acts administered.
Camberwell - - - - -	Vestry.
St. Luke Chelsea - - - - -	Commissioners.
St. John Hampstead - - - - -	Vestry.
St. Mary Abbots Kensington - - - - -	Commissioners.
St. Mary Lambeth - - - - -	Commissioners.
St. Leonard Shoreditch - - - - -	Vestry.
St. Mary Battersea - - - - -	Vestry.
Fulham - - - - -	Vestry.

Parishes in which Acts have been adopted.	Authorities by whom Acts administered.
Hammersmith - - - - -	Vestry.
{ St. Mary Stoke Newington - - - - -	Commissioners.
{ South Hornsey - - - - -	Urban District Council.
{ All Saints Poplar - - - - -	Vestry.
{ Bromley St. Leonard - - - - -	Vestry.
{ St. Mary Stratford Bow - - - - -	Vestry.
{ Wandsworth - - - - -	Commissioners.
{ Clapham - - - - -	Commissioners.
{ Putney - - - - -	Commissioners.
{ Streatham - - - - -	Commissioners.
{ St. Margaret and St. John Westminster - - - - -	Vestry.
{ St. George, Hanover Square - - - - -	Vestry.
{ St. Martin-in-the-Fields - - - - -	Commissioners.
{ St. Paul Covent Garden - - - - -	Commissioners.
{ Woolwich - - - - -	Local Board.
{ Plumstead - - - - -	Commissioners.
{ Lewisham - - - - -	Vestry.
{ Mile End Old Town - - - - -	Vestry.
{ St. George-in-the-East - - - - -	Commissioners.
{ St. George-the-Martyr Southwark - - - - -	Commissioners.
{ St. Mary Southwark - - - - -	Vestry.
{ Christchurch Southwark - - - - -	Commissioners.
{ St. Saviour Southwark - - - - -	Commissioners.
{ Bermondsey - - - - -	Vestry.
{ Rotherhithe - - - - -	Vestry.
{ St. James and St. John Clerkenwell - - - - -	Vestry.

PART II.

DISTRICTS OF BOARDS OF WORKS IN WHICH THE PUBLIC LIBRARIES ACTS 1892 AND 1893 HAVE BEEN ADOPTED, AND THE AUTHORITIES AT PRESENT ADMINISTERING THOSE ACTS.

Districts in which Acts have been adopted.	Authorities administering Acts.
{ District of Whitechapel Board of Works (comprising parishes of Whitechapel, St. Botolph Without Aldgate, Christ Church, Middlesex, Mile End New Town, Norton Folgate, and Old Artillery Ground) - - - - -	Commissioners.
{ District of Limehouse Board of Works (comprising parishes of St. Anne Limehouse, Ratcliff, Shadwell, and St. John of Wapping) - - - - -	Commissioners.
{ District of Holborn Board of Works (comprising parishes of St. Andrew Holborn-above-Bars, St. George the Martyr, Glasshouse Yard, Saffron Hill, Hatton Garden, Ely Place and Ely Rents, and St. Sepulchre) - - - - -	Commissioners.
{ District of St. Giles Board of Works (comprising the parishes of St. Giles in the Fields and St. George Bloomsbury) - - - - -	Commissioners.

*Fourth Schedule.***PART I.**

METROPOLITAN BOROUGHs IN WHICH THE BATHS AND WASH-HOUSES ACTS 1846 TO 1896 ARE TO BE IN FORCE THROUGHOUT THE BOROUGH.

The metropolitan boroughs of—

Bethnal Green, Camberwell, Chelsea, Hampstead, Islington, Kensington, Lambeth, Paddington, St. Marylebone, St. Pancras, Shoreditch, Battersea, Fulham, Hackney, Deptford, Lewisham,* Poplar.*

PART II.

METROPOLITAN BOROUGHs IN WHICH THE BATHS AND WASH-HOUSES ACTS 1846 TO 1896 ARE TO BE IN FORCE IN PARTS OF THE BOROUGH.

Name of Borough.	Parishes in which Acts are to be in force.
Westminster* - - -	{ St. Margaret and St. John Westminster. St. George Hanover Square. St. James Westminster. St. Martin-in-the-Fields.
Wandsworth* - - -	{ Wandsworth. Clapham. Streatham.
Stepney* - - -	{ Whitechapel. St. George-in-the-East. Ratcliffe.
Bermondsey* - - -	{ Bermondsey. Rotherhithe.
Southwark - - -	{ St. Saviour Southwark. St. Mary Newington.
Woolwich* - - -	{ Woolwich. Plumstead.
Greenwich* - - -	{ Greenwich. St. Nicholas Deptford.
Holborn* - - -	{ St. Giles-in-the-Fields. St. George Bloomsbury.

PART III.

METROPOLITAN BOROUGHs IN WHICH THE BATHS AND WASH-HOUSES ACTS 1846 TO 1896 ARE NOT TO BE IN FORCE IN ANY PART OF THE BOROUGH.

The metropolitan boroughs of—

Hammersmith, Stoke Newington, and Finsbury.

* By Orders in Council, dated March 6, 1902, printed as Statutory Rules and Orders, 1902, Nos. 222, 224–231, the Baths and Wash-houses Acts are to be in force throughout these boroughs, which each form a single district for that purpose.

Fifth Schedule.

PART I.

METROPOLITAN BOROUGHES IN WHICH THE BURIAL ACTS 1852 TO 1885 ARE TO BE IN FORCE THROUGHOUT THE BOROUGH.

The metropolitan boroughs of—

Camberwell, Hampstead, Islington, Kensington, Lambeth, Paddington, St. Marylebone, St. Pancras, Shoreditch, Battersea, Fulham, Hammersmith, Deptford, Lewisham,* Stoke Newington.

PART II.

METROPOLITAN BOROUGHES IN WHICH THE BURIAL ACTS 1852 TO 1885 ARE TO BE IN FORCE IN PARTS OF THE BOROUGH.

Name of Borough.	Parishes in which Acts to be in force.
Westminster* - - - -	{ St. Margaret and St. John Westminster. St. George Hanover Square. St. Anne Westminster.
Woolwich* - - - -	{ Woolwich. Plumstead.
Wandsworth * † - - - -	{ Wandsworth. Clapham. Putney. Streatham.
Southwark - - - -	{ St. Mary Newington. St. Saviour Southwark.
Greenwich* - - - -	{ Greenwich. Charlton.

PART III.

METROPOLITAN BOROUGHES IN WHICH THE BURIAL ACTS 1852 TO 1885 ARE NOT TO BE IN FORCE THROUGHOUT THE BOROUGH.

The metropolitan boroughs of—

Bermondsey, Bethnal Green, Chelsea, Finsbury, Stepney, Hackney, Holborn, Poplar.

Sixth Schedule.

PART I.

METROPOLITAN BOROUGHES IN WHICH THE PUBLIC LIBRARIES ACTS 1892 AND 1893 ARE TO BE IN FORCE IN PARTS OF THE BOROUGH.

The metropolitan boroughs of—

Camberwell, Chelsea, Hampstead, Kensington, Lambeth Shoreditch, Battersea, Fulham, Hammersmith, Stoke Newington, Poplar,† Stepney,† Southwark.

* By Orders in Council dated March 6, 1902, printed as Statutory Rules and Orders, 1902, Nos. 224, 226, 230-231, so much of each borough as to which the Burial Acts are in force is to be administered as a single district; in the case of Greenwich the area is the parishes of Greenwich, and Charlton and Kidbrook.

† By Orders in Council, dated March 8, 1902, printed as Statutory Rules and Orders, 1902, Nos. 227, 228, these boroughs are to be administered as a single district.

† By Order in Council, dated July 9, 1903, printed in Statutory Rules and Orders, 1903, No. 582, the Burial Acts 1852 to 1900 are to be in force throughout the borough, which is to form a single district.

PART II.

METROPOLITAN BOROUGHs IN WHICH THE PUBLIC LIBRARIES ACTS 1892 AND 1893 ARE TO BE IN FORCE IN PARTS OF THE BOROUGH.

Name of Borough.	Parishes in which Acts to be in force.
Westminster* - - -	{ St. Margaret and St. John Westminster. St. George Hanover Square. St. Martin-in-the-Fields. St. Paul Covent Garden.
Lewisham* - - -	{ Lewisham.
Bermondsey* - - -	{ Bermondsey. Rotherhithe.
Wandsworth* - - -	{ Wandsworth. Clapham. Putney. Streatham.
Holborn* - - -	{ St. Andrew Holborn above Bars. St. George the Martyr. St. Giles-in-the-Fields. St. George Bloomsbury. Saffron Hill, Hatton Garden, Ely Place, and Ely Rents.
Finsbury† - - -	{ St. James and St. John Clerkenwell. St. Sepulchre.
Woolwich* - - -	{ Glasshouse Yard. Woolwich. Plumstead.

PART III.

METROPOLITAN BOROUGHs IN WHICH THE PUBLIC LIBRARIES ACTS 1892 AND 1893 ARE NOT TO BE IN FORCE IN ANY PART OF THE BOROUGH.

The metropolitan boroughs of—

Bethnal Green, Islington, St. Marylebone, Hackney, Greenwich, St. Pancras, Deptford.

ORDER OF THE LORD PRESIDENT OF THE COUNCIL DATED OCTOBER 18, 1900, FIXING THE APPOINTED DAY FOR CERTAIN PURPOSES UNDER THE LONDON GOVERNMENT ACT, 1899.†

1900. No. 873.

Whereas by Section 33 of the London Government Act, 1899† (herein-after referred to as the Act), it is enacted that for the purposes of the Act the appointed day shall be

* By Orders in Council dated March 6, 1902, printed as Statutory Rules and Orders, 1902, Nos. 222, 225, 226, 229-231, the Public Libraries Acts are to be in force throughout the boroughs, which each form a single district for that purpose.

† By Order in Council, dated March 6, 1902, printed as Statutory Rules and Orders, 1902, No. 223, that part of this borough where the Public Libraries Acts are in force forms a single district for that purpose.

‡ 62 & 63 Vict. c. 14.

the day on which the members of the borough councils first elected under the Act come into office, or such other day, not being more than six months earlier or later, as the Lord President of the Council may appoint, either generally, or with reference to any particular provision of the Act, and different days may be appointed for different purposes and different provisions of the Act, whether contained in the same section or in different sections, or for different boroughs.

Now, therefore, I, the Lord President of the Council, pursuant to the Act, and every other power enabling me in that behalf, do hereby appoint the following days as the appointed days for the following purposes and provisions of the Act:—

For the purpose of Sub-sections (1) and (2) of Section 10 of the Act, and of the repeal of such of the enactments specified in the third schedule of the Act as relate to rating, the appointed day shall be the first day of April, One thousand nine hundred and one.

For the purpose of the transfer to the councils of the metropolitan boroughs of Chelsea, Paddington, and Kensington, of the powers, duties, property and liabilities of the commissioners of public libraries and museums for the parish of St. Luke Chelsea, and the abolition of those commissioners, the appointed day shall be the first day of April, One thousand nine hundred and one, or such later date as I may hereafter appoint.

For the purpose of any election under the Act, or in pursuance of any scheme made under the Act, and all proceedings preliminary to any such election, the appointed day shall be such day before the day on which the election is held as may be necessary.

For all other purposes and provisions of the Act, unless some other day is subsequently appointed by me as the appointed day for any particular purpose or provision, the appointed day shall be the day on which the first borough councillors elected under the Act come into office.

Dated this 18th day of October, 1900.

Devonshire,
Lord President of the Council.

ORDER OF THE LORD PRESIDENT OF THE COUNCIL DATED OCTOBER 31, 1900, FIXING THE APPOINTED DAY FOR THE PURPOSES OF SECTION 11 (3) OF THE LONDON GOVERNMENT ACT, 1899.*

1900. No. 874.

Whereas by an Order dated the eighteenth day of October, One thousand nine hundred,† pursuant to the London Government Act, 1899,* and every other power enabling me in that behalf, I ordered that for all purposes and provisions of the Act, other than those specifically mentioned in the said Order, the appointed day should, unless some other day was subsequently appointed by me as the appointed day for any particular purpose or provision of the Act, be the day on which the first borough councillors elected under the Act come into office.

And whereas it is expedient to appoint the day herein-after mentioned as the appointed day for the purpose herein-after mentioned.

Now, therefore, I, the Lord President of the Council, pursuant to the said Act and every other power enabling me in that behalf, do hereby appoint as the appointed day for the purpose of Sub-section (3) of Section 11 of the said Act the first day of April, One thousand nine hundred and one.

Dated this 31st day of October, 1900.

Devonshire,
Lord President of the Council.

(b) Elections.

THE METROPOLITAN BOROUGHs (TRIENNIAL ELECTION OF COUNCILLORS) ORDER IN COUNCIL. 1901.

At the Court at St. James's, the 9th day of March, 1901.

Present :

The King's Most Excellent Majesty in Council.

Whereas by Section 27 of the London Government Act, 1899* (in this Order referred to as the Act) it is amongst other things enacted that an Order in Council under the Act shall—

- (i) fix the days, years, and times for the retirement of the first aldermen and councillors; and

* 62 & 63 Vict. c. 14.

† Printed at p. 37 above.

- (ii) give such directions as to the first meeting of the metropolitan borough councils, and make such other temporary modifications of the provisions of the Act, as may appear to His Majesty to be necessary or proper for making those provisions applicable in the case of the first constitution of a metropolitan borough council.

And whereas by Section 2 of the Act, it is enacted that the Local Government Board may, on request made by a borough council in pursuance of a resolution of the council passed by a majority of two-thirds of the members present and voting at a meeting of the council duly convened for the purpose, provided that such majority is not less than the majority of the whole council, make an Order directing that the whole of the councillors shall retire together on the ordinary day of election in every third year, and may on like request rescind any such order.

And whereas the councils of various metropolitan boroughs have in pursuance of resolutions passed by those councils in accordance with the above recited provisions of the Act requested the Local Government Board to make in respect of their boroughs such orders as aforesaid, and it is expedient that, if the Local Government Board make an Order directing that the whole of the councillors of any metropolitan borough shall retire on the first day of November One thousand nine hundred and three, no councillors of that borough should retire before that date.

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority committed to him by the Act, and of all other powers enabling him in that behalf, for the purposes aforesaid, is pleased to order, and it is hereby ordered, as follows :

1. If the Local Government Board make an Order as respects any metropolitan borough directing that the whole of the councillors shall retire together on the first day of November One thousand nine hundred and three,* all the councillors shall retire on that date, and there shall be no retirement of councillors of that borough after the date of that order, until the first day of November One thousand nine hundred and three.
2. This Order may be cited as the Metropolitan Boroughs (Triennial Election of Councillors) Order in Council, 1901.

A. W. Fitzroy.

* See Order printed at p. 41 below.

THE LONDON REGISTRATION ORDER IN COUNCIL, 1902,
DATED MARCH 25, 1901.

1901. No. 279.

[This Order is printed under the title "Parliamentary Electors, England."]

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED JUNE 14, 1901, DIRECTING THAT THE WHOLE OF THE COUNCILLORS OF EACH OF THE METROPOLITAN BOROUGHES SHALL RETIRE SIMULTANEOUSLY.*

1901. No. 475.

Simultaneous retirement of metropolitan borough councillors.
County of London.
All metropolitan boroughs.

To the County Council of the Administrative County of London;—
To the Councils of the several Metropolitan Boroughs;—
To the Town Clerks of the said Metropolitan Boroughs;—
And to all others whom it may concern.

Whereas in pursuance of Sub-section (5) of Section 2 of the London Government Act, 1899 † (herein-after referred to as "the Act"), and of the law thereby applied, the term of office of a councillor of a metropolitan borough is three years, and one-third of the councillors for each ward of a metropolitan borough are to go out of office in each year, and their places are to be filled by newly elected councillors;

And whereas it is enacted by Sub-section (8) of Section 2 of the Act that we, the Local Government Board, may, on request made by the council of a metropolitan borough, in pursuance of a resolution of the council passed by a majority of two-thirds of the members present and voting at a meeting of the council duly convened for the purpose, provided that such majority is not less than the majority of the whole council, make an Order directing that the whole of the councillors shall retire together on the ordinary day of election in every third year;

And whereas by the metropolitan boroughs (Triennial Election of Councillors) Order in Council, 1901, ‡ made in pursuance of the provisions of Sub-section (1) of Section 27 of the Act, it is ordered that if we make an Order as respects any metropolitan borough directing that the whole of the

* As to the retirement of the First Aldermen see Article 1 of the Metropolitan Boroughs (First Election and First Meeting), Order in Council, 1900, printed in Statutory Rules and Orders, 1900, page 344.

† 62 & 63 Vict. c. 14.

‡ Printed at page 39 above.

councillors shall retire together on the first day of November, One thousand nine hundred and three, all the councillors shall retire on that date, and there shall be no retirement of councillors of that borough after the date of our Order until the first day of November, One thousand nine hundred and three ;

And whereas in accordance with the provisions of Sub-section (8) of Section 2 of the Act, the council of each of the metropolitan boroughs has made request to us to make an Order directing that the whole of the councillors of such metropolitan borough shall retire together on the ordinary day of election in every third year ;

Now, therefore, in pursuance of the powers given to us by the statutes in that behalf, we do, by this our Order, direct that the whole of the councillors of each of the metropolitan boroughs (being the metropolitan boroughs whereof the names are set forth in the schedule to this our Order) shall retire together on the first day of November, One thousand nine hundred and three, and on the ordinary day of election in every third year thereafter.

Schedule.

NAMES OF METROPOLITAN BOROUGHES.

Battersea.	Kensington.
Bermondsey.	Lambeth.
Bethnal Green.	Lewisham.
Camberwell.	Paddington.
Chelsea.	Poplar.
Deptford.	Saint Marylebone.
Finsbury.	Saint Pancras.
Fulham.	Shoreditch.
Greenwich.	Southwark.
Hackney.	Stepney.
Hammersmith.	Stoke Newington.
Hampstead.	Wandsworth.
Holborn.	Westminster (City).
Islington.	Woolwich.

Given under the seal of office of the Local Government Board, this fourteenth day of June, in the year One thousand nine hundred and one.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

THE METROPOLITAN BOROUGH COUNCILLORS ELECTION
ORDER, 1903. DATED FEBRUARY 26, 1903.

1903. No. 160.

To the County Council of the Administrative County of
London :—
To the Mayor, Aldermen, and Councillors of each Metro-
politan Borough ;—
To the Town Clerk of each Metropolitan Borough.
And to all others whom it may concern. .

Whereas by Sub-section (5) of Section 2 of the London
Government Act, 1899* (herein-after referred to as "the Act
of 1899"), it is enacted as follows :—

"(5.) Except as otherwise provided by or under this
Act, the law relating to the constitution, election, and
proceedings of administrative vestries, and to the electors
and members thereof, shall apply in the case of the
borough councils under this Act and the electors and
councillors thereof * * *."

And whereas by Sub-section (2) of Section 3 of the Act of
1899 it is enacted as follows :—

"(2.) The ordinary day of election of borough coun-
cillors shall be the first day of November, or if that day
is Sunday, then the following day."

And whereas by Sub-section (1) of Section 31 of the Local
Government Act, 1894† (hereinafter referred to as "the Act of
1894"), it is enacted as follows :—

"(1.) The provisions of this Act with respect to the
qualification of the electors of urban district councillors,
and of the persons to be elected, and with respect to the
mode of conducting the election, shall apply as if mem-
bers of * * * the vestries elected under the Metropolis
Management Acts, 1855 to 1890,‡ or any Act amending
those Acts, * * * were urban district councillors
* * * Providing that the Elections (Hours of Poll) Act,
1885,§ shall apply to elections to the said vestries."

And whereas by Section 23 of the Act of 1894 it is, amongst
other things, enacted as follows :—

"As from the appointed day, where an urban district
is not a borough
* * *"

"(2.) A person shall not be qualified to be elected or
to be a councillor unless he is a parochial elector of some
parish within the district, or has during the whole of the

* 62 & 63 Vict. c. 14.

† 56 & 57 Vict. c. 73.

‡ 18 & 19 Vict. c. 120 ; 19 & 20 Vict. c. 112 ; 21 & 22 Vict. c. 104 ; 25 & 26
Vict. c. 102 ; 41 & 42 Vict. c. 32 ; 48 & 49 Vict. c. 33 ; 50 & 51 Vict. c. 17 ; 53
& 54 Vict. c. 54 ; 53 & 54 Vict. c. 66.

§ 48 & 49 Vict. c. 10.

twelve months preceding the election resided in the district, * * *. So much of any enactment whether in a public general or local and personal Act as relates to the qualification of a member of an urban sanitary authority shall be repealed:

“(3.) The parochial electors of the parishes in the district shall be the electors of the councillors of the district, and, if the district is divided into wards, the electors of the councillors for each ward shall be such of the parochial electors as are registered in respect of qualifications within the ward:

“(4.) Each elector may give one vote and no more for each of any number of persons not exceeding the number to be elected:

“(5.) The election shall, subject to the provisions of this Act, be conducted according to the rules framed under this Act by the Local Government Board.”

And whereas by Section 48 of the Act of 1894 it is amongst other things enacted as follows:—

“(2.) Rules framed under this Act by the Local Government Board in relation to elections shall, notwithstanding anything in any other Act, have effect as if enacted in this Act, and shall provide amongst other things,—

“(i.) for every candidate being nominated in writing by two parochial electors as proposer and seconder and no more;

“(ii.) for preventing an elector at an election for * * * a district not a borough from subscribing a nomination paper or voting in more than one parish or other area in the * * * district;

* * * * *

“(vi.) for the appointment of returning officers for the elections.”

“(3.) At every election regulated by rules framed under this Act, the poll shall be taken by ballot, and the Ballot Act, 1872,* and the Municipal Elections (Corrupt and Illegal Practices) Act, 1884,† and Sections 74 and 75 and Part IV. of the Municipal Corporations Act, 1882,‡ as amended by the last-mentioned Act (including the penal provisions of those Acts) shall, subject to adaptations, alterations, and exceptions made by such rules, apply in like manner as in the case of a municipal election. Provided that—

“(a) Section 6 of the Ballot Act, 1872,* shall apply in the case of such elections, and the returning officer may, in addition to using the schools and and public rooms therein referred to free of

* 35 & 36 Vict. c. 33. † 47 & 48 Vict. c. 70. ‡ 45 & 46 Vict. c. 50.

charge, for taking the poll, use the same, free of charge, for hearing objections to nomination papers and for counting votes; and

- “(b) Section 37 of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall apply as if the election were an election mentioned in the First Schedule to that Act.

“(4.) The provisions of the Municipal Corporations Act, 1882, and the enactments amending the same, with respect to the expenses of elections of councillors of a borough, and to the acceptance of office, resignation, re-eligibility of holders of office, and the filling of casual vacancies, and Section 56 of that Act, shall, subject to the adaptations, alterations, and exceptions made by the said rules, apply in the case of * * * members * * * of a vestry under the Metropolis Management Acts, 1855 to 1890, and any Act amending the same. Provided that—

- “(b) nothing in the enactments applied by this section shall authorise or require a returning officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs, and the vacancy shall be filled at the next ordinary election.”

And whereas by the Metropolitan Borough Councillors (Casual Vacancies) Order, 1900,* we prescribed Rules for every election which may be held to fill a casual vacancy in the office of councillor of any metropolitan borough;

And whereas in pursuance of our Order dated the 14th day of June, 1901,† the whole of the councillors of each metropolitan borough will retire together on the 1st day of November, 1903, and on the ordinary day of election in every third year thereafter:

Now, therefore, we, the Local Government Board, in pursuance of the powers given to us in that behalf, do hereby rescind the Metropolitan Borough Councillors (Casual Vacancies) Order, 1900, except as regards any election in the proceedings in respect of which have already been commenced.

And we do hereby Order and Direct that the elections of the councillors of every metropolitan borough shall, subject to any directions which may be given by us, and until we otherwise Order, be conducted according to the following Rules:—

Returning Officer.

- 1.—(1.) The town clerk of the borough shall be the returning officer.

* Printed in Statutory Rules and Orders, 1900, p. 386.

† Printed at p. 41 above.

(2.) If the town clerk is unwilling to act as returning officer, or if the office of town clerk is vacant at the time when any duty relative to the election has to be performed by the returning officer, or if the town clerk from illness or other sufficient cause is unable to perform that duty, the council of the borough shall appoint some other person to act as returning officer or to perform such of the duties of the returning officer as then remain to be performed, as the case may be.

(3.) The returning officer shall appoint an officer for the purpose of the election.

(4.) The returning officer may, in writing, appoint one or more fit persons to be his deputy or deputies for all or any of the purposes relating to the election, and shall appoint such a deputy in the case and for the purposes mentioned in Rule 18 (2) of this Order. A deputy returning officer shall have all the powers, duties, and liabilities of the returning officer in relation to the matters in respect of which he is appointed as deputy.

Notice of Election.

2. Not later than the day prescribed for that purpose by the first schedule to this Order, the returning officer shall prepare and sign a notice of the election, and shall cause public notice of the same to be given in accordance with Rule 26 of this Order. The notice shall be in the Form No. 1 in the second schedule to this Order, or in a form to the like effect.

Nomination of Candidates.

3.—(1.) Each candidate for election as a borough councillor shall be nominated in writing.

(2.) The nomination paper shall state the name of the ward for which the candidate is nominated, the surname and other name or names in full of the candidate, and his place of abode and description, and whether he is qualified by being registered as a parochial elector of some parish in the borough, or by having during the whole of the twelve months preceding the election resided in the borough. It shall be signed by two parochial electors of the ward, as proposer and seconder, and no more, and shall state their respective places of abode. It shall be in the Form No. 2 in the second schedule to this Order, or in a form to the like effect.

(3.) The name of more than one candidate shall not be inserted in any one nomination paper.

(4.) A parochial elector shall not sign a number of nomination papers larger than the number of borough councillors to be elected for the ward for which the election is to be held.

He shall not sign a nomination paper for any ward in the borough, unless he is registered as a parochial elector in respect of a qualification in that ward. Nor shall he sign nomination papers for more than one ward in the borough.

(5.) If any parochial elector sign nomination papers for more than one ward in the borough, or sign a number of nomination papers larger than the number of borough councillors to be elected for the ward, such of the nomination papers signed by him as relate to the first ward for which a nomination paper signed by him is received by the returning officer shall alone be valid, and of the nomination papers signed by him which relate to that ward such as are first received by the returning officer up to the number of borough councillors to be so elected shall alone be valid. Provided that, for the purposes of this paragraph, nomination papers not properly filled up and signed shall be excluded.

Nomination Papers to be provided.

4. The returning officer shall provide nomination papers. Any parochial elector may obtain nomination papers from the returning officer free of charge.

Time for sending in Nomination Papers.

5. Every nomination paper shall be sent to the returning officer so that it shall be received at his office within the time prescribed for that purpose by the first schedule to this Order. A nomination paper received after that time shall not be valid. The returning officer shall note on each nomination paper whether it was received before or after that time.

Dealing with Nominations by Returning Officer.

6.—(1.) The returning officer shall number the nomination papers in the order in which they are received by him; and the first valid nomination paper received for a candidate shall be deemed to be the nomination of that candidate.

(2.) The returning officer shall, as soon as practicable after the receipt of any nomination paper, examine the same and decide whether it has or has not been properly filled up and signed as required by Rule 3 (2), and whether it is or is not invalid under Rule 3 (5) or Rule 5. His decision that a nomination paper has been so filled up and signed and is not invalid as aforesaid shall be final, and shall not be questioned in any proceeding whatever.

(3.) If the returning officer decide that a nomination paper is invalid, he shall put a note on it to that effect, stating the grounds of his decision, and he shall sign such note.

(4.) After deciding that the nomination of any candidate is valid, or (except where a nomination of any candidate has been decided to be valid) that a nomination paper for the candidate is invalid, the returning officer shall, not later than the day prescribed for that purpose by the first schedule to this Order, send, by post or otherwise, notice of his decision to the candidate.

Statement as to Persons nominated.

7. Not later than the day prescribed for that purpose by the first schedule to this Order, the returning officer shall make out a statement in the Form No. 3 in the second schedule to this Order, or in a form to the like effect, containing the names, places of abode, and descriptions of the persons nominated as borough councillors for the several wards in the borough, and also containing a notice of his decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not. He shall forthwith cause a copy thereof to be affixed on or near to the principal external gate or door of the offices of the council of the borough.

Withdrawal of Candidate.

8. Any candidate may withdraw his candidature by delivering or causing to be delivered at the office of the returning officer, within the time prescribed for that purpose by the first schedule to this Order, a notice in writing of such withdrawal, signed by the candidate.

Relation of Nomination to Election.

9.—(1.) If the number of candidates for any ward who receive valid nominations and who do not withdraw their candidature under Rule 8 exceeds that of the persons to be elected as borough councillors for that ward the councillors shall be elected from amongst the persons nominated.

(2.) If the number of valid nominations for any ward does not exceed the number of borough councillors to be elected for that ward, or if, by the withdrawal of any candidate as provided by Rule 8, the number of candidates is reduced to a number not exceeding the number to be elected for the said ward, or if the number of candidates is otherwise so reduced, the returning officer shall, as early as practicable, give public notice in the ward, in accordance with Rule 26 of this Order, to the effect that no poll will be taken, and that the candidates, or the remaining candidates, as the case may be, will be declared to be elected; and also, in the case of the ordinary election of borough councillors, if the number of candidates for any ward is less than the number to be elected for that ward, that such of any retiring councillors for the ward as

were highest on the poll at their election, or, if the poll was equal or there was no poll, as shall have been selected for that purpose by the returning officer by lot to make up the required number, will be declared to be deemed to be re-elected.

(3.) The returning officer shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected or to be deemed to be re-elected.

(4.) The notice shall be in the Form No. 4 in the second schedule to this Order, or in a form to the like effect.

(5.) Section 56 of the Municipal Corporations Act, 1882,* shall be deemed to be altered and adapted by this Rule, so as to apply to the election of borough councillors for the several wards in the borough as herein provided.

Prohibition of voting in more than one Ward.

10. Any person registered as a parochial elector of more than one ward in the borough may vote in any one (but in one only) of the wards of which he is registered as a parochial elector.

Polling Districts.

11.—(1.) The returning officer may, if he thinks fit, divide any ward in the borough into polling districts for the election of borough councillors, but each district shall consist of an area for which a separate list of parochial electors will be available.

(2.) If any ward is divided into polling districts, each parochial elector shall give his vote in the polling district in which the property in respect of which he is entitled to vote is situate, and if it is situate in more than one polling district, he may vote in any one (but in one only) of the polling districts in which it is situate.

Polling Places and Polling Stations.

12. The returning officer shall determine the number and situation of the polling places and polling stations.

Provided as follows:—

(a.) No premises licensed for the sale of intoxicating liquor shall be used for a polling station :

(b.) Where the number of parochial electors in the ward or (if the ward is divided into polling districts) in any polling district is not more than seven hundred only one polling station shall be provided for the ward or polling district ; and so on for each additional seven hundred parochial electors, or for any less number of parochial electors over and above the last seven hundred.

* 45 & 46 Vict. c. 50.

Notice of the Poll.

13.—(1.) If a poll has to be taken for any ward in the borough, the returning officer shall, within the time prescribed for that purpose by the first schedule to this Order, give public notice thereof in accordance with Rule 26 of this Order. The notice shall specify—

- (a) the day and hours fixed for the poll;
- (b) the number of borough councillors to be elected for the ward.
- (c) the names, place of abode, and description of each candidate for the ward whom he has decided to be nominated by a valid nomination paper, and who has not withdrawn his candidature;
- (d) the names of the proposer and seconder who signed the nomination paper of each candidate;
- (e) a description of the polling districts, if any; and
- (f) the situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2.) The notice shall be in the Form No. 5 in the second schedule to this Order, or in a form to the like effect.

Presiding Officers.

14. The returning officer, or some person appointed by him for the purpose, shall preside at each polling station. The person presiding at any polling station shall be called the presiding officer.

Compartments of Polling Stations.—Ballot Papers.

15. The returning officer shall furnish every polling station with a sufficient number of compartments in which the voters can mark their votes screened from observation, and shall furnish each presiding officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.

Polling Agents.

16.—(1.) If the number of candidates for any ward in the borough does not exceed three, each candidate may appoint a polling agent for each polling station. If the number of candidates exceeds three but does not exceed twenty, three polling agents; or if the number of candidates exceeds twenty but does not exceed forty, four polling agents; or if the number of candidates exceeds forty but does not exceed sixty, five polling agents; or if the number of candidates exceeds sixty, six polling agents may be appointed for each polling station.

(2.) Each appointment of a polling agent shall be in writing, signed by the candidate or candidates making the same, and shall be delivered at the office of the returning officer not less than two clear days before the day of the poll. Provided that no candidate shall sign more than one appointment of a polling agent for any polling station.

(3.) If the number of polling agents whose appointments have been so delivered is more than the number allowed as aforesaid, those whose appointments are signed by the larger number of candidates, up to the number allowed, shall alone be valid; or if, by reason of several appointments having the same number of signatures, the validity of the appointments cannot be decided as aforesaid, the returning officer shall determine which of the appointments so signed shall have effect.

(4.) Except as aforesaid, no polling agent, whether paid or unpaid, shall be appointed for the purposes of the election.

Questions to Elector.

17.—(1.) The presiding officer may, and if required by any parochial elector of the ward or any polling agent appointed under Rule 16 shall, put to any elector at the time of his applying for a ballot paper, but not afterwards, the following questions, or one of them, and no other:—

(a) Are you the person entered in the parochial register for the ward as follows [*read the whole entry from the register*]?

(b) Have you already voted at the present election of borough councillors for the borough of in this or any other ward?

(2.) A person required to answer either of these questions shall not receive a ballot paper or be permitted to vote until he has answered it.

Counting the Votes.

18.—(1.) The returning officer may himself count the votes for all or any of the wards in the borough.

(2.) For every ward in which the returning officer does not himself count the votes he shall appoint some person to act as deputy returning officer as regards the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given. The person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the returning officer in relation to the matters aforesaid, and to the decision of any question as to any ballot paper and otherwise as to the ballot papers.

(3.) The votes shall be counted in the borough, or in some place near thereto, as soon as practicable after the close of the poll.

Equality of Votes.

19. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer or deputy returning officer who counts the votes may, if a parochial elector of the ward for which the poll was taken, give such additional vote in writing, but shall not otherwise be entitled to vote at the election. If in such a case the returning officer, or deputy returning officer, as the case may be, is not a parochial elector of the ward for which the poll was taken, or is unwilling to vote, he shall determine by lot which of the candidates whose votes are equal shall be elected.

Declaration of Result of Poll.

20.—(1.) The declaration of the result of the poll for any ward shall be in the Form No. 6 in the second schedule to this Order, or in a form to the like effect.

(2.) The returning officer, or deputy returning officer, as the case may be, who makes the declaration shall forthwith cause a copy of it to be affixed on the front of the building in which the votes have been counted. If the declaration is made by a deputy returning officer, he shall forthwith send it to the returning officer.

Publication of Result of Election.

21.—(1.) The returning officer shall prepare and sign a notice of the result of the election, and shall by the notice declare to be elected, or to be deemed to be re-elected, the persons who, under Rule 9, are to be declared to be elected, or to be deemed to be re-elected, without a poll being taken. Such persons shall be deemed to have been elected on the day of election. The notice shall be in the Form No. 7 in the second schedule to this Order, or in a form to the like effect. The notice shall, in the case of an ordinary election, contain the result of the election in all the wards of the borough, and, in the case of an election to fill any casual vacancy, shall contain the result of the election in the ward or wards of the borough for which the election is held.

(2.) The returning officer shall cause a copy of the notice to be displayed in the offices of the council of the borough, and he shall also cause public notice thereof to be given in accordance with Rule 26 of this Order. The returning officer shall also send copies of the notice to the persons elected or deemed to be re-elected.

*Application and Adaptation of Ballot Act, 1872.**

22. The provisions of the Ballot Act, 1872, which, with adaptations and alterations, are set out in the third schedule to this Order, and only those provisions of that Act, shall, subject to the said adaptations and alterations and to the provisions of this Order, apply to the elections of borough councillors in like manner as in the case of a municipal election.

Adaptation of Municipal Corporations Act, 1882.

23.—(1.) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882,† which, with adaptations and alterations, are set out in the fourth schedule to this Order, shall, subject to the said adaptations and alterations, apply to the election of borough councillors; and such of the provisions of that Act as relate to the acceptance of office, resignation, re-eligibility of holders of office, and filling of casual vacancies, and are, with adaptations and alterations, set out in the fifth schedule to this Order, shall, subject to the said adaptations and alterations, apply to the election of borough councillors and to the persons to be elected or deemed to be re-elected thereat.

(2.) In the application of Part IV. of the Municipal Corporations Act, 1882‡ (relating to corrupt practices and election petitions), as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884‡, the following adaptations and alterations shall have effect:—

- (a.) Such application shall be subject to the provisions of this Order.
- (b.) References to the elections of borough councillors shall be deemed to be substituted for references to a municipal election or to an election to a corporate office. “Metropolitan borough” shall be substituted for “borough,” “general rate” shall be substituted for “borough fund or borough rate,” and “voter” shall mean “a parochial elector or a person who votes or claims to vote at an election of borough councillors.”
- (c.) In the application of Sub-section (2) of Section 89 that sub-section shall be adapted and altered so as to read as follows:—

“(2.) The security shall be to the amount of fifty pounds, unless in any case the High Court or a Judge thereof, on summons, order that the same be to a lesser amount, or to a larger amount not exceeding three hundred pounds, and shall be given in the prescribed manner either by a deposit of money or by recognisance entered into by not more than four sureties, or partly in one way and partly in the other.”

* 35 & 36 Vict., c. 33.

† 45 & 46 Vict., c. 50.

‡ 47 & 48 Vict., c. 70.

Adaptation of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884.

24. In the application of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884,* the following adaptations and alteration shall have effect :—

- (1.) Such application shall be subject to the provisions of this Order.
- (2.) References in the Act to a borough or ward of a borough shall be deemed to apply to a metropolitan borough or ward of a metropolitan borough, and the expression "general rate" shall be deemed to be substituted in the Act for "borough fund or rate."
- (3.) The expression "corporate office" in the Act shall mean "the office of the borough councillor," and "a municipal election" shall mean "an election of one or more borough councillors"; and the expressions "municipal election court," "municipal election list," and "municipal election petition" shall be construed accordingly.
- (4.) So much of Section 13 of the Act as permits one polling agent to be employed in each polling station shall not apply, except so far as the employment of polling agents is permitted by Rule 16 of this Order.
- (5.) An election petition complaining of the election on the ground of an illegal practice may be presented at any time within six weeks after the day of election.
- (6.) In Section 34 of the Act "burgess roll" shall mean "registers of parochial electors of the parishes in the borough which will be in force on the day of election."
- (7.) Section 37 of the Act shall be read as if a reference to an election of borough councillors were substituted for a reference to any of the elections mentioned in the first schedule to the Act.

Expenses.

25. Any sum which may be payable to the returning officer in respect of his services in the conduct of an election, or in respect of expenses incurred in relation to the election, shall be defrayed by order of the council of the borough out of the general rate of the borough.

Publication of Notices.

26. Any public notice required by this Order shall be given by posting the same on or near the principal door of each church and chapel in the borough or ward, as the case may be, and in some conspicuous place or places within the borough or ward, as the case may be.

* 47 & 48 Vict. c. 70.

Mark instead of Signature.

27. In place of any signature required by this Order, it shall be sufficient for the signatory to affix his mark, if the same is witnessed by two parochial electors of the borough.

Misnomer.—Inaccurate Description.

28. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

Definitions.

29. In this Order—

- (1.) The term "town clerk" includes a deputy town clerk appointed by the borough council pursuant to Section 25 of the Act of 1899.
- (2.) The term "day of election," when used in connection with the ordinary election of borough councillors, means the ordinary day of election of borough councillors prescribed by Section 3 (2) of the Act 1899 : and when used in connection with any election to fill a casual vacancy means the day fixed by the town clerk for the poll, if any, at the election.
- (3.) The term "parochial elector" means a person whose name is entered on the register of parochial electors which will be in force on the day of election, and the term "registered as a parochial elector" has a corresponding meaning.
- (4.) The term "resided in the borough" means resided in some place or places which will on the day of election be included in the borough.
- (5.) The term "parish" includes a parish as constituted by Order in Council under the Act of 1899.

Adaptation of Order to Elections other than the Ordinary Election.

30. If the election is not the ordinary election such modifications as may be necessary shall be made in the forms contained in the second schedule to this Order.

This Order may be cited as the "Metropolitan Borough Councillors Election Order, 1903."

*First Schedule.*TIMES FOR THE PROCEEDINGS AT ANY ELECTION OF A BOROUGH
COUNCILLOR OR BOROUGH COUNCILLORS.

Proceeding. 1.	Time. 2.
1. Notice of Election - -	Not later than fourteen clear days before the day of Election.
2. Receipt of Nomination Papers	Not later than twelve o'clock at noon on the 10th day before the day of Election.
3. Sending notice of decision as to validity of Nomination Papers and making out Statement as to persons nominated.	Not later than the ninth day before the day of Election.
4. Withdrawal of Candidates -	Not later than twelve o'clock at noon on the sixth day before the day of Election.
5. Notice of Poll - - -	Two clear days at least before the day of Election.

Second Schedule.

FORM NO. 1.

Notice of Election.

BOROUGH OF

ELECTION OF BOROUGH COUNCILLORS

for the several wards in the above-named borough in the year 19 .

NOTICE IS HEREBY GIVEN THAT—

1. The number of councillors to be elected for the said wards, at the said election, is as follows :—*

* Insert the names of the wards, with the number of persons to be elected for each. A tabular form may be used if preferred.

2. Each candidate for election as a councillor must be nominated in writing in the form prescribed by the Metropolitan Borough Councillors Election Order, 1903, or in a form to the like effect, and the nomination paper must be sent to me, so that it shall be received at (which is my office for the purpose of the election) not later than twelve o'clock at noon on the day of , 19 .
3. A parochial elector must not sign more nomination papers than there are councillors to be elected for the ward, and he must not sign a nomination paper for any ward unless he is entered on the register of parochial electors which will be in force on the day of election in respect of a qualification therein. Nor must he sign nomination papers for more than one ward in the borough.
4. Copies of the form of nomination paper may be obtained, free of charge, from me at the above-named office.

5. Not later than , the day of , 19 , I shall cause a copy of a statement containing the names, places of abode, and descriptions of the persons nominated for the office of councillor for the said wards, and also containing a notice of my decision as regards each candidate as to whether he has been nominated by a valid nomination paper or not, to be affixed on or near to the principal external gate or door of the offices of the Council of the borough.
6. Any candidate nominated for election may, not later than twelve o'clock at noon on , the day , 19 , withdraw his candidature by delivering or causing to be delivered at my office for the purposes of the election a notice in writing of such withdrawal signed by him.
7. If the number of candidates who are validly nominated for any ward, and whose candidature is not withdrawn, exceeds that of the persons to be elected, a poll will be taken on , the day of , 19 . Due notice of the poll will be given.

Dated this day of , 19 .

Returning officer.

Office for the purpose of election.

FORM NO. 2.

Nomination Paper.

BOROUGH OF

ELECTION OF BOROUGH COUNCILLORS

for the ward of the above borough in the year 19 .

We, the undersigned, being respectively parochial electors of the said ward, do hereby nominate the under-mentioned person as a candidate for the office of councillor at the said election.

Names of Candidate.		Place of Abode.	Description.	How qualified (specify qualification according to direction in Instruction 5).
Surname.	Other Names in full.			
1.	2.	3.	4.	5.

Signature of proposer

Place of abode

Signature of seconder

Place of abode

*Instructions for filling up Nomination Paper.**

- (1.) The surname of only one candidate for election must be inserted in column 1.
- (2.) The other names of the candidate must be inserted in full in column 2.

* Those instructions form part of the nomination paper.

- (3.) Insert in column 3 the place of abode of the candidate.
- (4.) In column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as "gentleman."
- (5.) If the candidate is a parochial elector of some parish in the borough (that is, if his name is entered on the register of parochial electors of the parish which will be in force on the day of election) insert in column 5 "parochial elector." If the candidate is not a parochial elector of some parish in the borough, but he has, during the whole of the twelve months preceding the election, resided in some place or places which will on the day of election be included in the borough, insert in column 5 "residence." If the candidate has both these qualifications, it will be sufficient to insert in column 5 one of his qualifications, but both may be inserted.
- (6.)—(1.) The paper must be signed by two parochial electors of the ward (that is by persons whose names are entered on the register of parochial electors for the ward which will be in force on the day of election) and no more; by one as proposer, and by the other as seconder. The places of abode of the proposer and seconder must also be inserted. Instead of signing, the proposer or seconder may affix his mark if it is witnessed by two parochial electors of the borough.
- (2.) A parochial elector must not sign more nomination papers than there are councillors to be elected for the ward, and he must not sign a nomination paper for the ward unless his name is entered on the register of parochial electors for the ward which will be in force on the day of election. Nor must he sign a nomination paper for more than one ward in the borough.

FORM NO. 3.

Statement as to Persons nominated.

BOROUGH OF

The following is a statement as to the persons nominated for election as councillors for the several wards in the above-named borough.

Names of Wards.	Persons Nominated.			Decision of Returning Officer that Candidate has not been nominated by a valid Nomination Paper.
	Names (Surnames first).	Places of Abode.	Descriptions.	
1.	2.	3.	4.	5.

The candidates opposite whose names no entry is made in column 5 have been validly nominated.

Dated day of , 19 .

Returning Officer.

Office for the purpose of election.

Borough Elections.

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FORM No. 4.

Notice that no poll will be taken.

BOROUGH OF

ward of the above borough.

Whereas the following candidates have been duly nominated for election as borough councillors for the said ward [*insert names, places of abode, and descriptions of candidates*].

And whereas the number of those [*or, and whereas* [*insert name or names*] has [*or have*] since withdrawn his [*or their*] candidature [*or if some other event has occurred causing a person to cease to be a candidate, state what it is*], and the number of the remaining candidates is [*equal to or less than*] the number of persons, namely, to be elected as councillors for the said ward,

I do hereby give notice that a poll will not be taken as to the election of councillors for the said ward, and that the said [*insert names*]

will be declared elected as councillors for the said ward [**and also that* [*insert names*] retiring Councillors for the said ward will be declared to be deemed to be re-elected].

* Omit unless the number of candidates or remaining candidates is less than the number to be elected.

Dated this day of , 19 .

Returning Officer.

FORM No. 5.

Notice of Poll.

BOROUGH OF

ELECTION OF BOROUGH COUNCILLORS

for the ward of the above borough in the year 19 .

NOTICE IS HEREBY GIVEN—

1. That a poll for the election of borough councillors for the above-named ward will be held on the day of , 19 , between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon.
2. That the number of councillors to be elected for the ward is
3. That the names in alphabetical order, places of abode, and descriptions of the candidates for election, and the names of their respective proposers and seconders are as follows :—

Names of Candidates. (Surnames first).*	Places of Abode.	Descriptions.	Names of Proposers. (Surnames first).	Names of Seconders. (Surnames first).
1.	2.	3.	4.	5.

* Insert particulars as to each candidate for the ward whose nomination is valid, and who has not withdrawn his candidature.

* If the ward is not divided into polling districts for the purposes of the election, paragraph 4 should be omitted.

4.*—(1.) That each elector must vote in the polling district in which the property in respect of which he votes is situate, and if it is situate in more than one polling district he may vote in any one (but in one only) of the polling districts.

(2.) The polling districts are as follows :—

† If only one polling place or station adapt form accordingly.

5.† The situation and allotment of the polling places and polling stations and the description of the persons entitled to vote thereat are as follows :—

6. The poll will be taken by ballot.

Dated this day of , 19 .

Returning Officer.

Office for the purpose of election.

FORM No. 6.

Declaration of Result of Poll.

BOROUGH OF

ELECTION OF BOROUGH COUNCILLORS

for the ward of the above borough in the year 19 .

I, the undersigned, being the returning officer [or deputy returning officer duly authorised in that behalf] at the poll for the election of councillors for the said ward held on the day of 19 , do hereby give notice that the number of votes recorded for each candidate at the election is as follows :—

Names of Candidates.		Places of Abode.	Number of Votes recorded.
Surnames.	Other Names.		
1.	2.	3.	4.

And I do hereby declare that the said
are duly elected borough councillors for the said ward.

Dated this day of , 19 .

Returning Officer.
[or Deputy Returning Officer].

Borough Elections.

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FORM No. 7.

Notice of Result of Elections.

BOROUGH OF

ELECTION OF BOROUGH COUNCILLORS

for the above borough in the year 19 .

I, the undersigned, being the returning officer at the election of borough councillors for the borough, do hereby give notice that the candidates whose names are entered in column 6 of the statement hereunder opposite to the numbers entered in column 5 have been declared duly elected councillors for the wards opposite to the names of which in column 1 the names of such persons are entered ; and I hereby declare that the persons whose names are entered in the said column 6, or in column 7, and opposite to whose names no numbers are entered in column 5, where no polls have been taken, were duly elected, or are to be deemed to be re-elected, as councillors for the wards opposite to the names of which in column 1 the names of such persons are entered.

Names of Wards.	Names of Candidates.		Places of Abode.	Number of Votes recorded.	Names of Candidates elected.	Names of retiring Councillors deemed to be re-elected.
	Surnames.	Other Names.				
1.	2.	3.	4.	5.	6.	7.

Dated this

day of

, 19 .

Returning Officer.

Third Schedule.

PROVISIONS OF THE BALLOT ACT, 1872, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTIONS OF METROPOLITAN BOROUGH COUNCILLORS.

Procedure at Elections of Metropolitan Borough Councillors.

Poll at Elections.

2. The ballot of each voter at an election of metropolitan borough councillors shall consist of a paper (in this Act called a ballot paper) showing the names and descriptions of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

If in the register of parochial electors for a parish the same number is placed opposite to the name of more than one parochial elector, the returning officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper, the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Offences.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

- (1.) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper ; or
- (2.) Without due authority supplies any ballot paper to any person ; or
- (3.) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in ; or
- (4.) Fraudulently takes out of the polling station any ballot paper ; or
- (5.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election ;

shall be guilty of a misdemeanor, and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such boxes, papers, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of parochial electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or

otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, agent, and person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he has marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

Use of School and Public Room for Poll.

6. The returning officer at an election of metropolitan borough councillors may use, free of charge, for the purpose of taking the poll or for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll or for counting the votes as aforesaid.

The use of any room in an unoccupied house for taking the poll shall not render any person liable to be rated or to pay any rate for such house.

Duties of Returning and Election Officers.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, compartments, ballot boxes, ballot papers, stamping instruments, copies of register of parochial electors, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Every deputy returning officer shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer.

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting of such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll, a presiding officer shall have the power by law belonging to a deputy returning officer in a parliamentary election; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act, shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No returning officer or officer appointed by him in connection with the election of borough councillors for any metropolitan borough, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as a borough councillor. If any returning officer or officer appointed by him, or the partner or clerk of any such officer, shall so act, he shall be guilty of a misdemeanor.

*Miscellaneous.**Prohibition of Disclosure of Vote.*

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the returning officer or deputy returning officer, or of a non-compliance with the rules contained in the First Schedule to this Act or in the Metropolitan Borough Councillors Election Order, 1903, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act and of the London Government Act, 1899, and of the Local Government Act, 1894, and that such non-compliance or mistake did not affect the result of the election.

*Personation.**Definition and Punishment of Personation.*

24. The following enactments shall be made with respect to personation at an election of metropolitan borough councillors:

It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 86 to 89, both inclusive, of the Parliamentary Voters Registration Act, 1843, shall apply to personation at an election of metropolitan borough councillors in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any parochial elector or any agent appointed under the Metropolitan Borough Councillors Election Order, 1903," for "any such agent so appointed as aforesaid," or for any reference to any such agent, and of "the presiding officer" for "the returning officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

Schedules to Act.

First Schedule to Act.

RULES FOR ELECTIONS OF METROPOLITAN BOROUGH COUNCILLORS.

The Poll.

15. At every polling place the returning officer shall, subject to the provisions of the Metropolitan Borough Councillors Election Order, 1903, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The presiding officer appointed to preside at each station shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the second schedule to this Act, or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is

empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as herein-after mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form herein-after mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by the Metropolitan Borough Councillors Election Order, 1903, to be asked of voters at the time of polling, and upon taking an oath in the form herein-after set out, which the presiding officer shall administer, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called "a tendered ballot paper") shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called "the tendered votes list."

The oath shall be administered in the following form:—

"You do swear that you are the same person whose name appears as A.B. on the register of parochial electors for the ward of the borough of , and that you have not already voted at the present election of councillors in this or any other ward in the borough.

"SO HELP YOU GOD."

Provided that any person entitled to affirm in lieu of taking an oath may affirm in the following form :—

"I, *A.B.*, do solemnly, sincerely, and truly declare and affirm that I am the same person whose name appears as *A.B.* on the register of parochial electors for the _____ ward of the borough of _____, and that I have not already voted at the present election of councillors in this or any other ward in the borough."

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called "a spoilt ballot paper"), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall make up into separate packets, sealed with his seal,—

- (1.) Each ballot box in use at his station, unopened but with the key attached ; and
- (2.) The unused and spoilt ballot papers, placed together ; and
- (3.) The tendered ballot papers ; and
- (4.) The marked copies of the register of parochial electors, and the counterfoils of the ballot papers ; and
- (5.) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read ;

and shall deliver such packets to the returning officer, or deputy returning officer, by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. The provisions of Rule 16 of the Metropolitan Borough Councillors Election Order, 1903, as to the appointment of polling agents, shall apply to agents to attend the counting of the votes, except that the number of such agents may be twice as many as the number of polling agents in the said rule mentioned.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, the agents of the candidates, and any person to whom Rule 51 of this schedule applies, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes.

The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment and excluding, if and so far as he thinks it necessary, the hours between the close of the poll and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark ;
2. Voting for more candidates than entitled to ;
3. Writing or mark by which voter could be identified ;
4. Unmarked or void for uncertainty ;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the returning officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it.

37. Upon the completion of the counting the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the returning officer the result of the verification, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall with his report send to the returning officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any presiding officer.

38. Lastly the returning officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession,

together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the borough and ward for which such election was held.

39. The returning officer shall retain for six months all the documents referred to in the last preceding rule, and then, unless otherwise directed, by an order of the county court having jurisdiction in the borough or in any part thereof, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the returning officer, except under the order of the county court or tribunal aforesaid, to be granted by such court or tribunal on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the returning officer.

41. No person shall, except by order of the county court having jurisdiction in the borough, or in any part thereof, or of any tribunal having cognizance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the returning officer. Such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the order may think expedient: Provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a returning officer, in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may have been or may hereafter be prescribed by the London County Council, and the returning officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may have been or may hereafter be prescribed by the County Council.

43. Where an order is made for the production by the returning officer of any document in his possession relating to any specified election of borough councillors, the production by such officer or his agent of the document ordered, in such manner as may be directed by such order, or by an order of the court having power to make such first-mentioned order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such returning officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *prima facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

43a. There shall be an appeal from any order of the county court under these rules in like manner as in other cases in such court.

General Provisions.

47. If the returning officer presides at any polling station, the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. The returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. If a candidate or candidates shall have appointed an agent under Rule 31 of this schedule, such candidate, or, as the case may be, one of such candidates, may take the place of the agent so appointed. If a candidate has not appointed or joined in appointing such an agent, and the number of such agents is less than the number allowed by that rule, the candidate may act as his own agent; but if the number of candidates applying to act under this rule would bring up the number of persons (including candidates) acting as agents to a number exceeding that allowed by Rule 31, the returning officer may decide which of the candidates shall be allowed to act as agent: Provided that any person acting under this rule may, at any time before so acting, make the statutory declaration required by Rule 54 of this schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent for the purposes of attending a polling station or at the counting of the votes dies or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the returning officer in writing of the name and address of any agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, and also every officer, clerk, or agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Second Schedule to Act.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

*Form of Ballot Paper.***Form of Front of Ballot Paper.****ELECTION OF BOROUGH COUNCILLORS.**

Counterfoil No.

1	BLAKE. (Thomas Blake, of 59, St. George's Place, Surgeon.)	
2	GIBSON. (Henry Gibson, of 10, High Street, Oilman.)	
3	JOHNSON. (Charles Johnson, of 7, Hanover Square, Gentleman.)	
4	ROBINSON. (Herbert Edward Robinson, of 12, Green Street, Solicitor.)	
5	THOMPSON. (William Henry Thompson, of 14, Queen Street, Silversmith.)	
6	WATSON. (Robert Watson, of 22, Albion Street, Chemist.)	

NOTE :—

The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

Form of Back of Ballot Paper.

No. _____ Ward of
Election of Borough Councillors for the _____
the Borough in the year 19 _____

Note.—The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, and the names, places of abode, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous characters, and placarded outside every Polling Station and in every compartment of every Polling Station.

The voter may vote for _____ candidates.

The voter will go into one of the compartments, and with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than _____ candidates, or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of borough councillors for the _____ ward of the borough of _____ do anything forbidden by Section 4 of the Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration. One declaration may be made by the returning officer in respect of all the wards for which he is returning officer.

Form of Declaration of inability to read.

I, *A.B.*, of _____, being numbered _____ on the register of parochial electors for the parish of _____, do hereby declare that I am unable to read.

A.B., _____ his mark.

day of _____, 19 _____.

I, the undersigned, being the presiding officer for the _____ polling station for the _____ ward of the borough of _____, do hereby certify that the above declaration, having been first read to the above-named *A.B.*, was signed by him in my presence with his mark.

Signed, *C.D.*,

the _____ Presiding officer for _____ polling station for _____ ward of the borough of _____.

day of _____, 19 _____.

Fourth Schedule.

SECTIONS 74 AND 75 OF THE MUNICIPAL CORPORATIONS ACT, 1882, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF METROPOLITAN BOROUGH COUNCILLORS.

Offences in relation to Nomination Papers.

74.—(1.) If any person forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any forged nomination paper, knowing it to be forged, he shall be guilty of a misdemeanor, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2.) An attempt to commit any such offence shall be punishable as the offence is punishable.

Neglect of Duty by Returning Officer or Deputy Returning Officer.

75.—(1.) If a person who has undertaken to act as returning officer, or deputy returning officer, at an election of metropolitan borough councillors, neglects or refuses to conduct or declare the election in manner provided by the London Government Act, 1899, the Local Government Act, 1894, and the Metropolitan Borough Councillors Election Order, 1903, he shall for every such offence be liable to a fine not exceeding one hundred pounds, recoverable by action.

(2.) An action under this section shall not lie after three months from the neglect or refusal.

Fifth Schedule.

PROVISIONS OF THE MUNICIPAL CORPORATIONS ACT, 1882, WITH RESPECT TO THE ACCEPTANCE OF OFFICE, RESIGNATION, RE-ELIGIBILITY OF HOLDERS OF OFFICE, AND FILLING OF CASUAL VACANCIES, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF METROPOLITAN BOROUGH COUNCILLORS AND TO THE PERSONS ELECTED THEREAT.

Obligation to accept Office or pay Fine.

34.—(1.) Every qualified person elected to the office of metropolitan borough councillor, unless exempt under this section or otherwise by law, either shall accept the office by making and subscribing the declaration required by this Act within one month after notice of being elected, or shall, in lieu thereof, be liable to pay to the council of the borough a fine of such amount, not exceeding fifty pounds, as the council of the borough by regulations determine.

(2.) If there are no regulations determining fines, the fine shall be twenty pounds.

(3.) The persons exempt under this section are—

Any person disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body.

(4.) A fine payable under this section shall be recoverable summarily.

(5.) If a person is elected as councillor in more than one ward in the borough for which the election is held, he shall not accept office in respect of more than one of such wards, and if he accepts office or pays the fine for non-acceptance of office in respect of one ward he shall not be liable to a fine for non-acceptance of office in respect of any other of such wards.

Filling of Casual Vacancies.

40.—(1.) On a casual vacancy in the office of metropolitan borough councillor, an election shall be held in accordance with the rules framed under the London Government Act, 1899, and the Local Government Act, 1894 ; and the person elected shall hold the office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office.

* * * * *

(3.) Non-acceptance of office by a person elected creates a casual vacancy.

Time for filling Casual Vacancies.

66.—(1.) On a casual vacancy in the office of metropolitan borough councillor, the election shall be held within one month after notice in writing of the vacancy has been given to the mayor or to the town clerk by two councillors, or, in the case of a vacancy by resignation, disqualification, or absence, within one month of the office becoming vacant.

(3.) The day of election shall be fixed by the town clerk.

(4.) Nothing in this Act shall authorise or require a returning officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs. Such a vacancy shall be filled at the next ordinary election.

Given under the seal of office of the Local Government Board, this twenty-sixth day of February, in the year One thousand nine hundred and three.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

(ii) Finance.*

THE LONDON (FINANCIAL ARRANGEMENTS) SCHEME 1900.
APPROVED BY ORDER IN COUNCIL OF AUGUST 7,
1900.

1900. No. 603.

Whereas by various Orders in Council under the London Government Act, 1899† (in this scheme referred to as the Act), twenty-eight metropolitan boroughs are, as from the commencement of those Orders, established, and a council for each such borough is established and incorporated,‡ and, for

* The Orders of the Local Government Board under the London (Equalisation of Rates) Act, 1894, are printed under the sub-heading, "London County Council," above.

† 62 & 63 Vict. c. 14.

‡ See the 28 Orders in Council establishing the Metropolitan Boroughs and incorporating their Councils registered and printed as Statutory Rules and Orders, 1900, Nos. 380–407 inclusive.

the purpose of adjusting the boundaries of the boroughs and of giving effect to the provisions of the Act, various parts of existing parishes are by those Orders, and by certain other Orders in Council under the Act relating to detached parts of parishes,* annexed to other parishes.

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in council to refer to a committee of the Privy Council the appointment of commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision amongst other things—

- (a) for any matters which under the Act are to be regulated by scheme ; and
- (b) for any of the purposes, except police, for which a scheme may be made under Part 11 of the Municipal Corporations Act, 1882,† so far as those purposes are consistent with the Act ; and
- (c) for such adjustments as may be required for carrying into effect any of the provisions of the Act, or for preventing any injustice with respect to the incidence of any rate or the discharge of any liability or otherwise ; and
- (d) for carrying into effect the Act or any Order in Council made thereunder ;

and may contain any incidental consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas the property and liabilities of various authorities are by or under the Act transferred subject to the provisions of any scheme made under the Act to the councils of the metropolitan boroughs.

And whereas by the London (Poor Law and Valuation) Scheme,‡ 1900, it is amongst other things provided that, except as in that scheme provided, the Orders shall, so far as they expressly or impliedly alter the area of any parish or poor law union, for the purpose of the enactments and provisions relating to the relief of the poor, and of all such other enactments and provisions as relate to the powers duties and expenses of boards of guardians, and of the managers of the asylum and school districts, and for the purpose of assessing on poor law unions the sums to be contributed by them to the metropolitan common poor fund, come into operation on the

* See a list of such orders (all of which are registered and printed as Statutory Rules) in Statutory Rules and Orders, 1900, p. 988.

† 45 & 46 Vict. c. 50.

‡ Printed at p. 148 below.

twenty-sixth day of March One thousand nine hundred and one.

And whereas the commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order and declare as follows:—

1.—(1.) In this scheme unless the context otherwise requires—

The expression “commissioners” means the commissioners appointed by the said committee of the Privy Council.

The expression “Orders” means the said Orders in Council under the Act.

The expression “existing parish” means a parish as it exists immediately before the day on which the first election of borough councillors under the Act is held.

The expression “overseers” includes any person or body of persons performing the duties of overseers.

(2.) The Interpretation Act, 1889,* applies for the purpose of the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

(3.) This scheme shall have effect subject to the provisions of any future scheme made under the Act.

2.—(1.) The London County Council shall determine the contribution of each parish to one-half of the equalisation fund, and the grant due from that one half of the fund to each parish, for the half-year, which includes the day on which the first borough councillors elected under the Act come into office, as if no such alterations of the areas of existing parishes and sanitary districts as is affected by or under the Act had been made.

(2.) The precepts for levying the equalisation charge shall be issued before the day on which the first borough councillors under the Act came into office.

(3.) If any grant due to a sanitary district from the equalisation fund is not paid before the day, the grant shall be paid to the council of the metropolitan borough comprising the whole or the greater part of the district:

Provided that—

(a) if the metropolitan borough comprises two or more parishes, the council of that borough shall credit each such parish with the sum (if any) which the existing parish would have been credited with had the Act not been passed; and

* 52 & 53 Vict. c. 63.

- (b) if a sanitary district contains two or more existing parishes, and those parishes are distributed amongst two or more metropolitan boroughs, the sum which each of those parishes would have received had the Act not been passed shall be paid by the County Council to the council of the metropolitan borough comprising the existing parish, or the greater part thereof, and shall by that council be credited to that parish.

57 & 58 Vict.
c. 53.

(4.) The account required to be rendered by Sub-section (7) of Section 1 of the London (Equalisation of Rates) Act, 1894, for the twelve months ending the thirty-first day of March One thousand nine hundred and one, shall be divided into two parts, the one part showing the expenditure up to the day on which the first borough councillors elected under the Act come into office, and the other part the expenditure on and after that day.

(5.) The provisions of this section are subject to any adjustment that may be made in accordance with the provisions of this scheme.

Transfer of
property and
liabilities.

3.—(1.) Subject to any adjustment in accordance with this scheme, and to the provisions of the London (Lee District) Scheme, 1900,* the London (Greenwich District) Scheme, 1900,† and the London (Holborn District) Scheme, 1900,‡ the property and liabilities of any authority whose property and liabilities are transferred by or under the Act to the councils of metropolitan boroughs shall be transferred to the council of the metropolitan borough in which the area of that authority, or the greater part thereof is comprised.

(2.) Any person who immediately before the day on which the first borough councillors elected under the Act come into office has possession of, or control over, any money or other effects belonging to any authority whose property is transferred to the councils of metropolitan boroughs shall, on and after that day, deal with the money and effects in such manner as the council of the metropolitan borough to whom the property is transferred direct,

(3.) Any property transferred by or under the Act to any authority shall vest in that authority.

Transitory
provisions as
to rates and
precepts.

4.—(1.) Precepts shall be issued, and rates made, before the day on which the first borough councillors elected under the Act come into office in the like manner, for the like period, and in respect of the like area, as if the Act had not been passed.

(2.) Any rate and the arrears of any rate made by the overseers of any existing parish before the day on which the first

* Statutory Rules and Orders, 1900, No. 622.

† Statutory Rules and Orders, 1900, No. 620.

‡ Statutory Rules and Orders, 1900, No. 621.

borough councillors elected under the Act come into office shall, so far as not collected before the said day, be collected by the council of the metropolitan borough comprising the whole or the greater part of that existing parish, both in the part of the existing parish comprised in the borough, and in those parts (if any) comprised in any other metropolitan borough, and the money so collected by the council shall be accounted for by the council.

(3.) The council of a metropolitan borough shall satisfy the precepts issued before the day on which the first borough councillors elected under the Act come into office to any authority the whole or the greater part of whose area is comprised in the borough, so far as those precepts have not been satisfied before that date, and every such precept shall, notwithstanding the alterations effected by the orders, be as valid as if no such alterations had been made.

(4.) Where any such precept has been so issued but a rate has not been made before the day on which the first borough councillors elected under the Act come into office to satisfy the precept then—

- (a) if the whole area to which the precept applies is situate in one metropolitan borough, the council of that borough shall (if necessary) levy a rate in that area ; and
- (b) if the area is situate in more than one metropolitan borough the council of each borough in which any part of the area is situate shall pay to the council satisfying the precept a contribution proportionate to the assessable value of the part in that borough. and, for the purpose of fulfilling their liabilities under this section, the council of each borough in which any part of the area is situate shall (if necessary) levy a rate in the part so situate.

The rate to be so levied shall be a rate of the same nature as would have been levied had the Act not been passed, and the assessable value of a part of a parish shall be calculated in accordance with the provisions of Section 3 of the Agricultural Rates Act, 1896.

59 & 60 Vict.
c. 16.

(5.) If—

- (a) between the day on which the first borough councillors elected under the Act come into office and the twenty-fifth day of March One thousand nine hundred and one the board of guardians of any poor law union require to issue any contribution orders to meet their expenses ; and
- (b) the union consists of or comprises any parish which, for the purposes of the enactments relating to the relief of the poor, and to powers duties and expenses of boards of guardians, is, during that period, situate in more than one metropolitan borough,

the part of the parish in each such borough shall for the purpose of determining the contributions and of making the rate be treated as a separate parish, and the council of the metropolitan borough in which the part is situate shall act as the overseers of such separate parish.

(6.) Where a rate leviable in any existing parish, or part of an existing parish, comprised in a metropolitan borough has been made before the day on which the first borough councillors elected under the Act come into office wholly or partly to meet the expenditure of any authority whose powers and duties are transferred to the councils of metropolitan boroughs by or under the Act, the council of that metropolitan borough in making a rate to meet their own expenditure during the period for which the first-mentioned rate was made, or any part thereof, shall credit the existing parish or part in which the first-mentioned rate was leviable with such proportion of the sum raised or to be raised by that rate in that existing parish or part as is properly applicable to the expenditure of the said authority and to the period for which the council make the rate, and shall make the rate accordingly, and may for that purpose treat such existing parish and part as if it was a separate parish.

If any question arises as to the amount of the sum for which credit is to be given, or as to the manner in which the rate is to be made by the borough council, so as to give effect to this provision, or otherwise in relation thereto, the question shall be finally determined by the Commissioners.

Adjustments
between
authorities.

5.—(1.) Where any adjustment (other than such an adjustment as is provided for by Section 6 of this scheme) is required for the purposes of the Act, or of any Order or scheme or other thing made or done under the Act, the authorities interested may at any time during the four months next after the day on which the first borough councillors elected under the Act come into office, or such further period as the Commissioners may in any case allow, make agreements for the purpose and may thereby adjust any property, income, debts, liabilities and expenses, so far as affected by the Act or any such Order, scheme or thing, of the parties to the agreement or of their predecessors.

(2.) Any such agreement may provide for the transfer or retention of any property, debts, or liabilities, with or without any conditions, and for the joint use of any property, and for payment by any party to the agreement in respect of property, debts, and liabilities so transferred or retained, or of such joint user, and in respect of the salary, remuneration, or compensation of any officer or person, and that either by way of an annual payment, or (except in the case of a salary or remuneration of any officer or person) by way of a capital sum or of a terminable annuity, and, if necessary, for the purpose of giving effect to the agreement, may provide that, during a limited number of years not exceeding five, any rate levied in

any part of an existing parish annexed to another parish by an Order under the Act need not be uniform with the rate levied in the rest of such other parish.

(3.) Any such agreement shall be valid only if and so far as it is confirmed by a scheme under the Act, and any such scheme may confirm the agreement either with or without modifications.

(4.) In default of an agreement being so made and confirmed, and as far as any such agreement does not extend, such adjustment (if any) as may be deemed by the Commissioners to be required between the authorities shall be settled by a scheme under the Act; but nothing in this section shall prevent a scheme for adjustment being prepared and made before the expiration of the said period of four months.

6.—(1.) For the purpose of adjustments as between parishes in the same metropolitan borough, the persons who immediately before the day on which the first borough councillors elected under the Act come into office are:—

Adjustments
between
parishes in
the same
borough.

- (a) in the case of a parish mentioned in Schedule A of the Metropolis Management Act, 1855,* as amended by subsequent enactments, and of a parish mentioned in Schedule B of that Act as so amended, which elects less than six members on the board of works of the district comprising the parish, the members of the vestry of that parish; and
- (b) in the case of a parish (other than such a parish as aforesaid) included in the district of a board of works, the members of that board elected by the vestry of that parish; and
- (c) in the case of the parish of Woolwich, the members of the local board of health; and
- (d) in the case of the parish of South Hornsey, the members of the urban district council;

and the survivors for the time being of those persons shall respectively represent the interests of their parishes as altered by the Orders, and are in this section referred to as the representative bodies.

(2.) The representative bodies interested in any such adjustment may at any time within such four months or further period as aforesaid enter into an agreement for the purpose of such adjustment with one another and with the council of the metropolitan borough concerned.

(3.) In any such agreement regard shall be had to the amount of the share of each existing parish in the property and liability of each authority whose powers and duties are transferred by or under the Act to the council of the metropolitan borough, and generally to the circumstances of each

* 18 & 19 Vict. c. 120.

case, and any such agreement may provide for a sum being credited or debited to any parish in the borough, and that either by way of an annual payment, or by way of a capital sum, or of a terminable annuity, and may provide for any parish being exempt from being assessed to such proportion of the general rate for such period as will give effect to the agreement.

(4.) Any such agreement shall be valid only if and so far as it is confirmed by a scheme under the Act, and any such scheme may confirm an agreement either with or without modifications.

(5.) In default of an agreement being so made and confirmed, and so far as any such agreement does not extend, such adjustment (if any) as may be deemed by the Commissioners to be required between the parishes shall be settled by a scheme under the Act; but nothing in this section shall prevent a scheme for adjustment being prepared and made before the expiration of the said period of four months.

(6.) The representative body may employ such persons and do such things as may be necessary or proper for protecting the interests, in respect of any such adjustment, of the parish which they represent.

(7.) For the purpose of this section the provisions relating to the proceedings, meetings, and committees, to the qualification and powers of the members and chairmen, of administrative vestries in force immediately before the day on which the first borough councillors elected under the Act come into office, shall, subject to such modifications as the Commissioners may sanction, apply to the representative bodies as if they were administrative vestries, and any act of a representative body may be signified by an instrument executed at a meeting of the body under the hands, or, if an instrument under seal is required, under the hands and seals of the chairman presiding at the meeting and two other members of the body present at the meeting.

(8.) The council of every metropolitan borough shall render to the representative body acting for each parish in the borough every assistance in their power, and, if they think fit, may make advances to any such representative body of such sums as may from time to time be required by that body, and each representative body shall be entitled to cause any book or document (other than documents prepared for the purpose of the adjustment) in the possession or under the control of the council to be inspected, and copies thereof to be taken, and extracts thereof to be made, at any reasonable hour free of cost.

(9.) The first meeting of every such representative body shall be summoned by the town clerk, or acting town clerk, of the appropriate metropolitan borough within fourteen days from the day on which the first borough councillors elected under the Act come into office, and the representative body

shall at their first meeting elect a chairman who shall continue to act as such until he dies, resigns, or becomes disqualified.

(10.) The expenses certified by the Commissioners to have been properly incurred by any representative body in connexion with an adjustment in accordance with this section, shall be defrayed by the council of the metropolitan borough in which the parish represented by the body is comprised, but in making the adjustment regard may be had to the fact that any such expenses are incurred in respect of a particular parish.

(11.) This section shall apply in the case of a parish formed by the union of two or more parishes as altered by the Orders, as if each of the parishes so altered was a separate parish.

(12.) Where under this section there is no representative body for a parish, such persons as the Commissioners may appoint shall represent the interests of that parish, and the persons so appointed shall have the like powers and their expenses shall be defrayed in the like manner as in the case of representative bodies.

7.—(1.) Subject to the provisions of any scheme or of any agreement confirmed by scheme, any sum required to be paid by any authority for the purpose of adjustment may be paid as part of the general expenses of exercising their duties under the Acts relating to the authority, or out of such special fund as the authority, with the approval of the Local Government Board, direct, and if it is a capital sum, the payment thereof shall be a purpose for which the authority may borrow under the Acts relating to the authority on the security of all or any of the funds rates and revenues of the authority, and any such sum may be borrowed without the consent of any authority, so that it be repaid within such period as may be sanctioned by such scheme as aforesaid.

Supplemental provisions as to adjustments.

(2.) Any capital sum paid to any authority for the purpose of any such adjustment shall be treated as capital, and applied with the sanction of the Local Government Board either in repayment of debt, or for any other purpose for which capital money may be applied.

(3.) Where for the purpose of any adjustment in accordance with this scheme a debt of any authority is apportioned between two or more authorities, those authorities shall give notice of the apportionment to the creditor.

8. Where the accounts of any authority whose powers and duties are transferred by or under the Act to the councils of metropolitan boroughs are required to be made up to, and closed on, the twenty-ninth day of September, the accounts of that authority shall, in the year One thousand nine hundred, be made up to and closed on the day on which the first borough councillors elected under the Act come into office instead of up to and on the 29th day of September.

Accounts of certain authorities.

9. This scheme may be cited as the London (Financial Arrangements) Scheme, 1900.

ORDER IN COUNCIL CONFIRMING "THE LONDON (RATING)
SCHEME 1901."

1901. No. 208.

At the Court at St. James's, the 9th day of March, 1901.

Present :

The King's Most Excellent Majesty in Council.

Whereas Her late Majesty Queen Victoria was pleased by Her Order in Council of the 14th day of July, 1899, to appoint a Committee of the Lords of the Council for the purposes of the London Government Act, 1899 :^a

And whereas the Commissioners appointed by the Committee of the Lords of the Council have prepared a Scheme entitled :

The London (Rating) Scheme, 1901 :

And whereas the provisions of the London Government Act, 1899, have been complied with, and the said Scheme has been settled by the said Committee :

And whereas no Petition has been presented against the said Scheme.

Now, therefore, His Majesty, having taken the said Scheme, copy whereof is hereunto annexed, into consideration, is pleased, by and with advice of His Privy Council, to confirm, and doth hereby confirm, the said Scheme.

A. W. Fitzroy.

Scheme referred to in the foregoing Order.

THE LONDON (RATING) SCHEME, 1901.

Whereas by Section 15 of the London Government Act, 1899 * (in this scheme referred to as the Act, it is enacted that it shall be lawful for Her Majesty in Council to refer to a Committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the Committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision, amongst other things, for any matters which under the Act are to be regulated by scheme ; and for preventing any injustice with respect to the incidence of any rate ; and for carrying into effect the Act or any Order in Council made thereunder ; and

* 62 & 63 Vict. c. 14.

may contain any incidental, consequential, or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas by Sub-sections (1) and (2) of Section 10 of the Act it is enacted that a scheme under the Act shall provide for all the expenses of a metropolitan borough council being paid out of the general rate, and for the discontinuance of a separate sewers rate and a separate lighting rate, but shall make provision for protecting the interests of owners and occupiers of any hereditament which is exempt from any rate or liable to be assessed thereto at a less amount than other hereditaments, and that after the appointed day the general rate and the poor rate shall be assessed, made, and levied together by the metropolitan borough council as one rate, which shall be termed the general rate, and shall be assessed, made, collected, and levied as if it were the poor rate, and all enactments applying or referring to the poor rate, shall, subject to the provisions of the Act as to audit, be construed as applying or referring also to the general rate.

And whereas by Sub-section (4) of the last-mentioned section it is enacted that where any of the Adoptive Acts or any local or other Act does not extend to the whole metropolitan borough, any rate required to meet the expenses incurred under any such Act as aforesaid shall, subject to the provisions of any scheme under the Act, be levied together with, and as an additional item of, the general rate over the area to which such Act as aforesaid applies.

And whereas the Agricultural Rates Act, 1896,* and the Tithe Rentcharge (Rates) Act, 1899,† apply to the several rates in those Acts respectively mentioned.

And whereas by an Order issued under Section 33 of the Act, the Lord President of the Council ordered that, for the purpose of Sub-sections (1) and (2) of Section 10 of the Act, and of the repeal of such of the enactments specified in the third schedule of the Act as relate to rating, the appointed day shall be the first day of April, One thousand nine hundred and one.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order, and declare as follows:—

1.—(1.) Subject to the provisions of this scheme, as from the first day of April, One thousand nine hundred and one, all money to be raised by rates to meet the expenses of the council of every metropolitan borough, including the sums of money required to be levied by any precept served on the

Provisions as
to rates.

* 59 & 60 Vict. c. 16.

† 62 & 63 Vict. c. 17.

borough council, shall be paid out of the general rate, and a separate sewers rate and a separate lighting rate shall not be levied.

(2.) The proceeds of any rate levied before the said date which are at that date in the hands or under the control of the council of a metropolitan borough, or which may be received by the council after that date, shall be carried to the same account as that to which the proceeds of the general rate levied after that date are to be carried.

Provisions as to exemptions.

2.—(1.) In levying the general rate after the first day of April, One thousand nine hundred and one, effect shall be given to any exemption from any existing rate (whether that exemption is given by way of reduced assessment or by levying a differential rate in the pound or in any other manner) by means of the deduction from the total amount of the general rate which would otherwise be payable in respect of any hereditament to which the exemption applies of a proportionate part (corresponding to the exemption) of the amount produced by the rate in the pound which is treated as levied for the purposes in respect of which the exemption exists, or, in the case of a total exemption, equal to the whole amount so produced.

32 & 33 Vict.
c. 41.

Provided that an allowance, commission, or deduction under the Poor Rate Assessment and Collection Act, 1869, shall not be deemed to be an exemption within the meaning of this provision.

(2.) Where in any metropolitan borough the owners or occupiers of any hereditaments or any class of hereditaments are entitled to any exemption, the council of that borough shall apportion the total rate in the pound amongst the various purposes for which the general rate is levied, so as to show approximately the rate in the pound required for any purpose or any number of purposes in respect of which there is such an exemption, and shall enter the rates in the pound so apportioned in the heading of the rate, and the rates in the pound so apportioned and entered shall be treated as levied for the purposes in respect of which the exemption exists.

59 & 60 Vict.
c. 16.

(3.) The relief given by the Agricultural Rates Act, 1896, shall be treated as an exemption to be given by way of deduction in accordance with this scheme, and as applying to the part of the general rate which is treated as levied for purposes for which any existing rates to which that Act applied were levied.

(4.) Nothing in this scheme shall be construed as extending the duration of an exemption beyond the period during which it would have continued had the Act not been passed.

Additional items.

3.—(1.) Where, under the Act or otherwise, a rate is to be levied together with, and as an additional item of, the general

rate over the whole of any parish in a metropolitan borough the rate shall be included in the general rate for that parish.

(2.) Where any sum to be raised by the council of a metropolitan borough is to be raised over an area not being the whole of a parish in the borough, the sum to be raised shall be raised by a rate levied together with, and as an additional item of, the general rate over that area.

(3.) Where by the Act or this scheme or any other scheme under the Act a rate is to be levied together with, and as an additional item of, the general rate, effect shall be given to exemptions in the case of that rate in the same manner as in the case of the general rate.

(4.) Where an additional item of the general rate is to be levied over part of a parish in any metropolitan borough, the council of that borough may, with the consent of the Local Government Board, keep a separate rate book for the purposes of that additional item, but in any such case the net amount to be collected in respect of the item shall be shown in a column of the rate-book for the general rate.

4. The Tithe Rentcharge (Rates) Act, 1899, shall be treated as applying to so much of the general rate as is treated as levied for purposes for which the existing rates to which that Act applied were levied. Adaptation of 62 & 63 Vict. c. 17.

5. The Local Government Board may from time to time by order make such adaptations as they may deem necessary in any statutory form or provisions respecting any rate, so as to give effect to the provisions of the Act and this scheme, and any such order shall have effect as if embodied in this scheme. Form of rate book, &c.

6. For the purposes of this scheme the expression "existing rate" means any rate leviable in a metropolitan borough before the first day of April, One thousand nine hundred and one. Definition of existing rate.

7.—(1.) This scheme may be cited as the London (Rating) Scheme, 1901, and shall have effect subject to the provisions of any future scheme and to the provisions of any scheme dealing with any particular exemption from rates or liability to be assessed. Short title, effect and construction.

(2.) The Interpretation Act, 1889,* applies for the purpose of the interpretation of this scheme as it applies to an Act of Parliament.

* 52 & 53 Vict. c. 63.

THE LONDON (RATE COLLECTION) ACCOUNTS ORDER, 1901.
DATED MARCH 26, 1901.

1901. No. 201.

General Order.

Metropolitan Borough Councils.

Collection of rates: Forms of Books and Accounts: Demand Note.

To the Councils of the several Metropolitan Boroughs:—
To the District Auditor for the time being appointed to audit the accounts of the said councils:—
And to all others whom it may concern.

Whereas by Section 10 of the London Government Act, 1899* (herein-after referred to as "the Act of 1899"), it is enacted as follows:—

"10.—(1.) A scheme under this Act shall provide for all the expenses of a borough council being paid out of the general rate, and for the discontinuance of a separate sewers rate and separate lighting rate, but shall make provision for protecting the interests of owners and occupiers of any hereditament which is exempt from any rate or liable to be assessed thereto at a less amount than other hereditaments.

"(2.) After the appointed day the general rate and the poor rate shall be assessed, made, and levied together by the borough council as one rate which shall be termed the general rate, and shall be assessed, made, collected, and levied, as if it were the poor rate, and all enactments applying or referring to the poor rate shall, subject to the provisions of this Act as to audit, be construed as applying or referring also to the general rate.

"(3.) Where a borough comprises more than one parish, the amount to be raised to meet the expenses of the borough council, or other sums payable as part of those expenses, shall, subject to any provision required for the adjustment of local burdens, be divided between the parishes in proportion to their rateable value.

"(4.) Where any of the Adoptive Acts, or any local or other Act, does not extend to the whole borough, any rate required to meet the expenses incurred under the Act shall, subject to the provisions of any scheme under this Act, be levied together with, and as an additional item of, the general rate over the area to which the Act extends."

And whereas, in pursuance of the provisions of Sections 15 and 16 of the Act of 1899, and of the enactments thereby made

* 62 & 63 Vict. c. 14.

applicable, a scheme has been prepared and settled, making provision as to such of the matters referred to in the above-recited Section of the Act of 1899 as are under that Act to be regulated by scheme; and such scheme has been duly confirmed by Order in Council, and as herein-after referred to as "The London (Rating) Scheme, 1901";

And whereas by Sub-section (3) of Section 11 of the Act of 1899 it is enacted as follows :—

"(3.) After the appointed day all the rates collected in a metropolitan borough from any person by the council shall, as far as is practicable, be levied on one demand note, and the demand note shall be in a form approved by the Local Government Board, and shall state in manner provided in that form—

- "(a) The rateable value of the premises in respect of which the rate is levied; and
- "(b) The rate in the pound; and
- "(c) The period for which the rate is made; and
- "(d) The several purposes for which the rate is levied; and
- "(e) The approximate amount in the pound required for each purpose (including as far as is practicable, the proportionate amount of the estimated costs of and loss in collection); and
- "(f) Any matter required by Section 2 of the London (Equalisation of Rates) Act, 1894,* or any other enactment, to be stated in the demand note."

And whereas by Section 14 of the Act of 1899 it is enacted as follows :—

"After the appointed day the accounts of the council of every metropolitan borough, and of any committee appointed by the council, and of their officers, including the accounts relating to the making, levy, and collection of any rate made by the council, shall be made up and audited in like manner and subject to the same provisions as the accounts of the London County Council, and the enactments relating to the audit of those accounts, and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply accordingly."

And whereas by Sub-section (1) of Section 71 of the Local Government Act, 1888,† being one of the provisions referred to in, and made applicable by, Section 14 of the Act of 1899 it is enacted as follows :—

"(1.) The accounts of the receipts and expenditure of county councils shall * * * * *
* * * * * be in the form for the time being prescribed by the Local Government Board."

* 57 & 58 Vict. c. 53.

† 51 & 52 Vict. c. 41.

Now, therefore, we, the Local Government Board, do hereby order and prescribe as follows with respect to the accounts relating to the making, levy, and collection of any rate made by the council of any metropolitan borough and the form of demand note for any such rate, and do hereby direct that this Order shall have effect, subject to any departure to which we may hereafter assent and to any direction which we may hereafter give in relation to any matter to which the said Order refers:—

Article 1.—This Order shall come into force on the first day of April, One thousand nine hundred and one, and may be cited as the London (Rate Collection) Accounts Order, 1901.

Article 2.—In this Order—

- (1.) The expression “council” means the council of any metropolitan borough ;
- (2.) The expression “collector” means any officer duly authorised to collect or receive any rate on behalf of the council.

Article 3.—(1.) The particulars of the assessment and collection of the general rate for any parish in a metropolitan borough shall be inserted in a *rate book and rate collection account*, which shall be in the form marked A. in the schedule to this Order, and shall be used and filled up in accordance with the directions in the notes to that form and with the provisions of this article. Before the rate is presented to the justices for allowance the town clerk of the metropolitan borough shall sign a declaration to the effect set forth in the said form.

(2.) The rate collection account shall be punctually and accurately entered up under the direction of the council, and shall be balanced when the rate is closed, and also to the thirty-first day of March in each year, if the rate be not closed before that date, and at such other times as the council may direct.

(3.) Where any additional item of the general rate is levied over a part of the parish, the requisite particulars relating to such additional item and the collection thereof shall be shown in columns to be added to the appropriate pages of the rate book for the general rate ; and the heading of and declaration to the rate shall be modified so as to give such particulars as may be necessary in regard to the additional item : Provided that the council may, if they think it expedient, keep a separate rate book and rate collection account for the purposes of any such additional item ; but in any such case the net amount to be collected in respect of the additional item shall be shown in the rate book for the general rate, and a column shall be added to that book for this purpose.

Article 4.—(1.) The *demand note* for any general rate made by the council shall be in such one of the forms marked B. (1.) and B. (2) in the schedule to this Order, as the notes to the said forms and the provisions of this article may require or authorise. The demand note shall be left with the ratepayer or at his address when the payment of the rate or any instalment thereof is first demanded.

(2.) The Form B. (1) shall be used only in cases where no additional item of rate levied over part of the parish is payable and the ratepayer is not entitled to any deduction under the London (Rating) Scheme, 1901, The Form B. (2) (from which may be omitted any of the prescribed particulars therein that are inapplicable to the circumstances) shall be used where the ratepayer is entitled to any such deduction, or where an additional item of rate is levied over part of the parish is payable.

(3.) In cases where a demand note relates to more than one assessment, particulars of each assessment shall be entered in the demand note, and, subject to the provisions of this article, the form may be printed in such manner as may be found convenient for this purpose.

Article 5.—The collector shall keep a *rate receipt check book*, containing forms of receipt and counterfoil, in the form marked C. in the schedule to this Order, or in a form to the like effect.

(2.) The receipts and counterfoils in the rate receipt check book shall be prepared in advance and numbered in order according to the numbers of the assessments in the rate book, and the receipt applicable to the assessment or assessments of any person shall be given when the full amount of the rate is received. The receipt shall be delivered, stamped with an adhesive stamp when the amount of the payment shall render such stamp necessary, to the person making the payment, and the counterfoil, duly filled up, shall be retained in the book. The true date of the payment shall be inserted on the receipt and on the counterfoil. A note of any payment on account shall be made on the back of the receipt and counterfoil, and an acknowledgment in writing shall be given of each amount so received on account. If, when the rate is closed, any receipts which have been prepared remain in the book unused, the collector shall enter on each of such receipts the reason for not using it, and shall date and sign such entry :

Provided that, if the council so direct, the receipts and counterfoils in the rate receipt check book may be filled up at the time when any payments in respect of rates are received, subject to the conditions prescribed in subdivision (3) of this article.

(3.) Where the council direct as in the proviso to subdivision (2) of this article, the following regulations shall be observed; namely:

- (a.) The forms of receipt and counterfoil shall be numbered consecutively in print, and when more than one receipt check book is required by the same collector for one rate the printed consecutive numbers shall run on without interruption through all the books used by him for such rate;
- (b.) The provision in subdivision (2) of this article with respect to any payment on account shall not apply, and the collector shall in every case where he receives money give a receipt from the book kept by him, and shall insert in the receipt given and in the counterfoil the assessment number (or numbers) contained in the rate book; and
- (c.) When a new rate is made, the collector shall deliver all the unused receipts and counterfoils for the previous rate to an officer duly authorised by the council in that behalf.

Article 6.—(1.) The collector shall keep a *collecting and debits book*, in the form marked D. in the schedule to this order, or in a form to the like effect, in which shall be entered accurately, and under their true dates, all sums received by him and all the sums deposited by him with the borough treasurer or other officer duly authorised by the council in that behalf.

(2) The collector shall, at the end of each month, balance and sign the collecting and deposit book kept by him, and he shall at the end of the account for the year, enter a summary showing the total sums respectively collected and paid over or deposited by him during each month and the balance, if any, at the commencement and end of the year.

Article 7.—If the council direct that the sums received by the collectors be paid over to an officer (other than the borough treasurer) appointed by the council to discharge the duties of receiving the moneys so paid over and of depositing such moneys with the borough treasurer, such officer shall keep a book, in such forms as the council, with our approval, may direct, in which he shall enter accurately and under their true dates all sums received by him from each collector, and all sums paid by him to the borough treasurer; and in the collecting and deposit book of each collector he shall initial the entries of the sums so deposited with him.

Article 8.—If the council so direct, the collector shall keep a book containing forms of *monthly statements*, in the form marked E. in the schedule to this order, or in a form to the like effect, and shall at the end of every month fill up one

of such statements with the several particulars required by the said form, and deliver a copy of such statements, signed by him, to the town clerk, or to such other officer as the council may direct, within seven days after the end of the month to which the statement relates. Such copies shall be produced to the district auditor at the audit.

Article 9.—The collector shall, on the closing of any general rate and also immediately after the thirty-first day of March in any year if the rate be not closed before that day, make out with respect to that rate so far as his district is concerned an *unpaid rates statement*, in the form marked F. in the schedule to this order, or in a form to the like effect, containing the particulars therein indicated ; and shall submit such statement to the council ; and he shall produce it to the district auditor at the audit.

FORM B (1).

Form of Demand Note for use only where no additional item of Rate levied over part of the Parish is payable, and the Ratepayer is not entitled to any deduction under the London (Rating) Scheme, 1901.

General Rate Demand Note.

Assessment No. .
Rateable Value, £ .

Metropolitan Borough of

* These items may be omitted when not required.

Parish of
Mr.

Address

District.*

The Council of the Metropolitan Borough of demand payment of a General Rate, made the day of , 190 (estimated to meet expenses which will be incurred before the day of next) [and of arrears of former rate]* now due from you, as follows :—

Amount of Rate at in the Pound -
*Arrears of former Rates - - - -
Total - - - £

* Allowance to Owner at per cent., provided the Rate be paid within the time prescribed by Section 5 of the Poor Rate Assessment and Collection Act, 1869 - - £

Purposes for which the above-mentioned General Rate was made; estimated sum required to be raised for each purpose; and approximate amount in the Pound levied for each purpose (including, as far as is practicable, the proportionate amount in the Pound to cover estimated costs of, and loss in, collection).

Purposes.	Sum required.	Amount in the Pound.
Relief of the Poor and other Expenses of the Guardians of the	£	s. d.
Contributions to the London County Council :—		
General County Purposes - - - - -		
Special County Purposes - - - - -		
† Equalisation Charge under the London (Equalisation of Rates) Act, 1894 (see note below) - - - - -		
Total - - - - -		
Contributions to the Receiver for the Metropolitan Police District - - - - -		
Expenses of School Board for London - - - - -		
† Expenses of the Borough Council :—		
Under the Public Health (London) Act, 1891 - - - - -		
In respect of Lighting - - - - -		
In respect of Streets - - - - -		
In respect of Sewerage - - - - -		
Under the Baths and Washhouses Acts - - - - -		
Under the Burial Acts - - - - -		
Under the Public Libraries Act - - - - -		
Costs of Collection - - - - -		
Other Expenses - - - - -		
Total - - - - -		
TOTAL - - - - -		

† If expenses for any of the purposes mentioned are not included in the estimate for the Rate, the words referring to such purposes may be omitted.

† Where an additional item of Rate levied over part of the Parish is payable, particulars of such item to be inserted here. — See Form B (2).

† Insert this note if there is an Equalisation Charge.

† Insert this note if there is a receipt from the Equalisation Fund.

Omit part in [] if there is only one Parish in the Borough.

† Note as to the Equalisation Charge.

The contribution from the Parish to the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894, is £
Deduct Grant from Equalisation Fund
Amount levied by the London County Council for the purposes of the Equalisation Charge £

† Note as to sum received from the Equalisation Fund.

The sum of £ has been received by the Borough Council from the London County Council out of the Equalisation Fund authorised by the London (Equalisation of Rates) Act, 1894 (of which the sum of £ has been credited to the Parish). The amount of the Rate hereby demanded is consequently less to the extent of in the Pound than it otherwise would have been.

Collector.

FORM B (2).

Alternative Form of Demand Note.

Demand Note.

Assessment No.

Rateable Value, £

Metropolitan Borough of

Parish of

District.

Mr.

Address

The Council of the Metropolitan Borough of demand payment of a General Rate, made the day of , 190 , estimated to meet expenses which will be incurred before the day of next [and of arrears of former rates],* now due from you as below :—

Payment is also demanded of a Rate levied together with and as an additional item of the General Rate [and of arrears of such rate]* due from you as below :—

* These items may be omitted when not required.

Amount of Rate	General Rate at in the Pound.			Rate at in the Pound.		
	£	s.	d.	£	s.	d.
† Deductions in respect of exemptions under the London (Rating) Scheme, 1901, viz.:						
Three-fourths of amount of rate at in the Pound for Sewerage purposes						
Two-thirds of amount of rate at in the Pound for Lighting purposes						
Two-thirds of amount of rate at in the Pound for Library purposes						
One half of amount of rate at in the Pound for purposes of former rates to which the Agricultural Rates Act, 1896, applied						
Total Deductions as above						
Net Amount of Rates						
* Arrears of former Rates						
TOTAL						
* Allowance to owner at per cent., provided the Rate be paid within the time prescribed by Section 8 of the Poor Rate Assessment and Collection Act, 1869						

† These items may be modified as required.

Purposes for which the above Rates were made; estimated sums required to be raised for each purpose; and approximate amount in the Pound levied for each purpose (including, as far as is practicable, the proportionate amount in the Pound to cover estimated costs of and loss in collection).

[Insert here particulars and notes as in Form B (1), with the addition of particulars of any additional item of the General Rate.]

Collector.

Notes relating to Forms B (1) and B (2) :—

When the Rate is made payable by instalments, the Form of Demand Note shall be altered so as to provide for payment being demanded only of the particular instalment and any arrears of former Rates or instalments.

If the Council deem it expedient, the purposes of the rate may be shown as the back of the Form, provided that in this case the words "See Back for particulars of Rate" are printed in bold type on the Face of the Demand Note.

Any notes or general information thought desirable may be printed either on the back of the Demand Note or at the feet of the Form on the face of the Demand Note.

FORM C.

Rate Receipt Check Book.

COUNTERFOIL.

RECEIPT.

Consecutive No. *

Consecutive No. *

Metropolitan Borough of

Metropolitan Borough of

Parish of
The day of , 190 .Parish of
The day of , 190 .Mr.
General Rate, made the day of , 190 .Received of Mr. the sum of Pounds
Shillings and pence, in respect of the General Rate of the above
Parish, made the day of , 190 .

This part to be retained in the Book.

Assessment Number.	Amount of Rate at	In the Pound.
	£	s. d.
† Arrears		
TOTAL	£	
† Allowance to Owner at per cent.		
† Received from Owner	£	

Assessment Number.	Rateable Value.	Amount of Rate at	In the Pound.
	£	£	s. d.
† Arrears of Former Rates			
TOTAL	£		
† Allowance to Owner at per cent.			
† Received from Owner	£		

Signed

Collector.

† NOTE.—Total amount levied in the Part b for the purposes of the Equalisation Charge

£ s. d.

* When the Rate Receipt Check Book is prepared in advance, the words "Consecutive No." should be omitted.
† Insert this note when there is an Equalisation Charge.

FORM E.

The Collector's Monthly Statement.

Month of

19 .

Metropolitan Borough of

Parish of

District.

Dr.		The Ratepayers in account with the Collector.		Or.		
		£	s.	d.		
Amount outstanding as shown by last month's Statement - - -					Amount of Rates collected since last month's Statement - - -	
					Ditto allowed to owners, &c. - - -	
Amount to be collected in respect of General Rate allowed on the day of - - -					Ditto excused on ground of poverty - - -	
					Ditto otherwise irrecoverable - - -	
					Amount outstanding - - -	
Total - - -					Total - - -	

Dr.		The Collector in account with the Borough Council.		Or.		
		£	s.	d.		
Balance (if any) in the Collector's hands at the end of last month - -					Amount deposited with the Borough Treasurer (or other Officer of the Council) - - -	
Amount of Rates* collected since - - -					Balance (if any) in the Collector's hands - - -	
Other sums than Rates collected since (viz.),—						
Total - - -					Total - - -	

Moneys due in aid of the Rates, but not yet collected.*	
	£ s. d.

Dated

19 .

Collector.

Received the

day of

19 .

Town Clerk [or other Officer].

The Statements received by the Town Clerk [or other Officer] are to be produced to the District Auditor at the Audit.

* This portion to be omitted, when not required.

Given under the seal of office of the Local Government Board, this twenty-sixth day of March, in the year One thousand nine hundred and one.

(L.S.)

Walter H. Long,

S. B. Provis,
Secretary.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED
JUNE 30, 1902, PRESCRIBING THE FORM OF THE
FINANCIAL STATEMENT TO BE SUBMITTED TO THE
DISTRICT AUDITOR BY METROPOLITAN BOROUGH
COUNCILS.

1902, No. 534.

To the Councils of the several Metropolitan Boroughs;—

To the District Auditor for the time being appointed to
audit the Accounts of the said Councils;—

And to all others whom it may concern.

Whereas by Section 14 of the London Government Act, 1899,* (herein-after referred to as "the Act of 1899"), it is enacted as follows:—

"After the appointed day the accounts of the council of every metropolitan borough, and of any committee, appointed by the council, and of their officers, including the accounts relating to the making, levy, and collection of any rate made by the council, shall be made up and audited in like manner and subject to the same provisions as the accounts of the London County Council, and the enactments relating to the audit of those accounts, and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply accordingly."

And whereas by Sub-section (3) of Section 71 of the Local Government Act, 1888,† being one of the provisions referred to

* 62 & 63 Vict. c. 14.

† 51 & 52 Vict. c. 41.

in, and made applicable by, Section 14 of the Act of 1899 it is enacted as follows :—

“The accounts of a county council and of the county treasurer and officers of such council, shall be audited by the district auditors appointed by the Local Government Board in like manner as accounts of an urban authority and their officers under sections two hundred and forty-seven and two hundred and fifty of the Public Health Act, 1875, and those sections and all enactments amending them or applying to audit by district auditors, including the enactments imposing penalties and providing for the recovery of sums shall apply in like manner as if, so far as they relate to an audit of the accounts of an urban authority and the officers of such authority, they were herein re-enacted with the necessary modifications, and accordingly all ratepayers and owners of property in the county shall have the like rights, and there shall be the same appeal as in the case of such audit. Provided that the First Schedule to the District Auditors Act, 1879,* shall be modified in manner described in the Second Schedule to this Act.”

And whereas by Section 3 of the District Auditors Act, 1879, it is enacted as follows :—

“Where the accounts of the receipts and expenditure of a local authority are audited by a district auditor, the local authority shall prepare and submit to the district auditor at every audit (other than an extraordinary audit held in pursuance of Section 6 of the Poor Law Amendment Act, 1866) † a financial statement in duplicate in the prescribed form and containing the prescribed particulars ; one of such duplicates shall have the stamp charged under this Act affixed thereon, and the auditor at the conclusion of the audit shall cancel that stamp, and certify on each duplicate, in the prescribed form, the amount in words at length of the expenditure so audited and allowed, and further, that the regulations with respect to such statement have been duly complied with, and that he has ascertained by the audit the correctness of the statement.”

And whereas a Council of a Metropolitan Borough is a local authority within the terms of the last-cited enactment :

Now, therefore, we, the Local Government Board, do hereby Order and Prescribe as follows with respect to the Accounts of the Council of every Metropolitan Borough for the year ended on the thirty-first day of March, One thousand

* 42 & 43 Vict. c. 6.

† 29 & 30 Vict. c. 113.

nine hundred and two, and thereafter until we otherwise prescribe:—

The Financial Statement to be prepared and submitted to the District Auditor in duplicate by the Council of the Borough as a local authority, in accordance with the provisions of Section 3 of the District Auditors Act, 1879 shall be in the form in the Schedule to this Order, and shall contain the particulars therein specified or referred to, except so far as we may assent to a departure from such form; and the certificate of the District Auditor to be appended to each such duplicate shall be in the form set forth at the foot of the said statement.

Schedule.

METROPOLITAN BOROUGH OF

FINANCIAL STATEMENT.

THE DISTRICT AUDITORS ACT, 1879 (42 Vict. c. 5),

and

THE LONDON GOVERNMENT ACT, 1899 (62 & 63 Vict. c. 14).

STATEMENT of the RECEIPTS and EXPENDITURE of the COUNCIL of the
above-named METROPOLITAN BOROUGH for the Year ended the 31st day of
March, 190 .

STATEMENT AS TO RECEIPT

STATEMENT AS TO RECEIPT OF RATES.		£	s.	d.	£	s.	d.
From General Rates* (including additional items levied over the whole of a Parish):—							
In respect of the following Parishes:—							
Parish of _____							
Parish of _____							

From additional items of General Rate, or separate Rates levied over special areas comprising parts of a Parish or Parishes. (The general purposes of any such items or rates should be indicated):—							

[MEM.—The total amount included in the above items which was received during the year in lieu of Rates on Government Property was as follows, viz.:—							
Parish of _____ £ _____							
Parish of _____ £ _____							
_____ £ _____.]							
Total Receipts from Rates - - - - -							

* MEMORANDUM AS TO GENERAL RATES (including additional items levied over the whole of a Parish) made by the Council during the year.

Parish.	Date of Rate.	Amount in the Pound.	Period of Rate.

AND ALLOCATION OF RATES.

STATEMENT AS TO ALLOCATION OF RATES.			
	Account to which the Allocation is made.	Amount allocated.	£ s. d.
General Rate (including additional items levied over the whole of a Parish).	General Account (p. 108) - - - -	£ s. d.	
	Burial Acts Account (p. 114) - - - -		
	Baths and Washhouses Account (p. 116) -		
	Public Libraries Account (p. 118) - -		
	Electric Lighting Account (p. 120) - -		
Additional items of General Rate, or separate Rates, levied over special areas comprising parts of a Parish or Parishes.	General Account (p. 108) - - - -		
Total - - - -			£

* This amount includes £ required to defray the cost of collecting the rates.

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Balance brought forward from previous Financial Statement - - - - -	-	-	-
From General Rates (allocated to General Account) -			
From additional items of General Rate, or separate Rates, levied over special areas comprising parts of a Parish or Parishes - - - - -			
From the London County Council:—			
Out of the Equalisation Fund under Section 1 of the London (Equalisation of Rates) Act, 1894 - - -			
In respect of Salaries of Medical Officers of Health -			
" " Sanitary Inspectors - - -			
" Contributions under Section 11 (10) of the Local Government Act, 1888 - -			
" Highways under Section 6 (2) of the London Government Act, 1899 - -			
Other Receipts from the County Council, specifying them:—			
£ s. d.			
Contributions towards Local Improvements - - - - -			
Carried forward - - - - -	£		

GENERAL ACCOUNT.

EXPENDITURE OTHER THAN OUT OF LOANS.		£	s.	d.	£	s.	d.
Payments to other Local Authorities under precept, viz. :—							
Name of Local Authority.	Purpose.						
Guardians of the _____ Union.	Relief of the Poor and other expenses of the Guardians -						
Guardians of the _____ Union.	Ditto - - - - -						
London County Council -	General County purposes -						
" " " -	Special County purposes -						
" " " -	Equalisation Charge -						
School Board for London -	Expenses of School Board -						
Receiver for the Metropolitan Police District.	Police and Police Courts -						
_____	_____						
_____	_____						
Public Roads, Streets, and Paths (<i>see note *</i>) :—							
Maintenance and Repair, including sums paid in respect of highways under Section 6 (2) of the London Government Act, 1899 (<i>see note †</i>) -							
Street Improvements and the making of new Streets -							
Cleansing and Scavenging, including watering not charged as maintenance (<i>see note ‡</i>) -							
Removal and Destruction of House Refuse (<i>see note ‡</i>) -							
Public Lighting and Works connected therewith (excluding Value of Electricity supplied by the Council's own undertaking, shown as a transfer on page 113) -							
Sewage and Drainage Works (other than Private Works) -							
Parks, Pleasure Grounds, Commons, and Open Spaces -							
Carried forward -				£			

* The sums to be entered against this and the following headings should exclude all repayment of loans and interest on loans, but salaries and wages paid exclusively in respect of any of the works or purposes specified in the headings should be entered as part of the expenditure on such works or purposes.

† Expenditure connected with the repair of roads and pathways broken up by companies and others should be entered under this heading, and, when practicable, this expenditure should be shown separately.

‡ If the whole cost of the removal of street and house refuse is included in one account, and the amount for each purpose cannot be exactly given, an approximate estimate will be sufficient. The cost of the removal of trade refuse should be entered under the head of "Private Works."

MEMORANDUM AS TO HIGHWAYS.

MILEAGE OF—	At Commencement of Year.		At End of Year.	
	M.	F.	M.	F.
Roads maintained by Council - - -				

PART I.—continued.

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Brought forward - - -	-	-	-
Rents, Profits, and Sales of Property (other than those specified elsewhere).			
Rents and Profits of Property - - - -			
Interest and Dividends on Property - - -			
Proceeds of Sales of Property, viz. :-	£	s.	d.

Private Works (excluding payments by Companies and others for Repairs of Roads and Footpaths broken up by them (see note *)) - - - - -			
New Streets - - - - -			
Other Private Works—	£	s.	d.
Private Paving - - - - -			
Private Sewering - - - - -			
Removal of Trade Refuse - - - - -			
Other Works - - - - -			
Highways :-			
From Companies and others for Repair of Roads and Footpaths broken up by them - - - - -			
Other Receipts in respect of Highways (excluding Receipts from the London County Council (see page 108) - - - - -			
Fines and Penalties - - - - -			
Fees repaid to the Borough Council by the Managers of the Metropolitan Asylums District - - - - -			
Other Fees - - - - -			
Housing of the Working Classes :-	Unhealthy or Obstructive Buildings.	Lodging-Houses.	
Rents of Property - - -	£	s.	d.
Proceeds of Sales of Property - - - -			
Other Receipts, specifying them :-			

Public Conveniences - - - - -			
Carried forward - - -	£		

* The corresponding expenditure should be entered under the head of "Private Works" (page 111).

GENERAL ACCOUNT.

EXPENDITURE OTHER THAN OUT OF LOANS.		
	£	s. d.
Brought forward		
Notification of Infectious Disease :—		
Fees for Medical Certificates		
Other Payments		
Disinfectants and Disinfecting and Works connected therewith and Compensation for damage or destruction of Articles in infectious cases		
Housing of the Working Classes :—		
Unhealthy or obstructive buildings		
Lodging Houses		
Public Conveniences		
Public Fountains		
Mortuaries, and places for post-mortem examinations and inquests		
Other Public Buildings, specifying them :— _____		
Sale of Food and Drugs Acts		
Public Works or Purposes for which no heading is provided above, specifying them :— _____ _____ _____		
Private Works (see note *) :—		
New Streets		
Other Private Works :—	£	s. d.
Private Paving		
Private Sewering		
Removal of Trade Refuse		
Other Works		
Repayment of Loans, and Interest on Loans (for details see pages 124 and 125) :—		
Principal repaid (see note †)	£	s. d.
To the London County Council		
To other lenders		
Interest (including Income Tax thereon)		
To the London County Council		
To other lenders		
Carried forward	£	

* The corresponding receipts should be entered under the head of "Private Works" (page 110.)
† Loans paid off by means of re-borrowings should not be entered as expenditure in respect of "Principal repaid."

LONDON COUNTY.

PART I.—continued.

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Brought forward			
Other Receipts, specifying the principal items :—* . .			
In respect of proceedings for the recovery of Rates .			

Total Receipts (excluding Balance) to be carried to Summary on page 126 . £			
Total			£

* Small items of receipt under this heading may be classed as "Miscellaneous."

GENERAL ACCOUNT.

EXPENDITURE OTHER THAN OUT OF LOANS.

	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward - -	-	-	-	-	-	-	-	-	-
Salaries and other Remuneration, and Superannuation Allowances of Officers and Assistants, including Salaries of Medical Officers of Health and Sanitary Inspectors (<i>see note *</i>), specifying the principal items:—									

Other Establishment Charges, viz.:—Cost of stationery, books, postage, printing, advertisements, audit stamp, gas and fuel for office, rents, rates, taxes, and insurance, &c., specifying the principal items:—									

Legal and Parliamentary Expenses, specifying the principal items:—									
Cost of proceedings for the recovery of Rates - -									

MEM.—If any legal expenses are included under any of the headings relating to works in connection with which such expenses were incurred, state here the total amount of such legal expenses, £———.									
Expenses of Assessment Committee - - - - -	-	-	-	-	-	-	-	-	-
Registration of Electors - - - - -	-	-	-	-	-	-	-	-	-
Jury Lists - - - - -	-	-	-	-	-	-	-	-	-
Election Expenses:—									
Municipal Elections - - - - -	-	-	-	-	-	-	-	-	-
School Board for London - - - - -	-	-	-	-	-	-	-	-	-
Expenditure not included under preceding headings, specifying the principal items (<i>see note †</i>):—									

Total Expenditure other than out of Loans to be carried to Summary on page 136 - - - - -									£
Transfer from General Account to Electric Lighting Account (p. 120):—									
Value of Electricity supplied in respect of Public Lighting - - -									£
Balance - - - - -									£
Total Expenditure (other than out of Loans), Transfer, and Balance - -									£

* Where salaries or wages are paid exclusively in respect of any of the works and purposes enumerated, the amounts should be included in the expenditure on the work or purpose under the heading provided, and not in the item Salaries, &c.

† Small items of expenditure under this heading may be classed as "Miscellaneous."

£ 31848,

0

PART II. A.—SUMS RECEIVED AND EXPENDED

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Balance brought forward - -	-	-	-
From Rates (allocated to Burial Acts Accounts) - -	-	-	-
Burial Fees other than those included in the next item below - - - - -	-	-	-
Fees not being for services rendered, received by the Burial Authority under Section 3 (4) (1) of the Burial Act, 1900, on behalf of Incumbents, Churchwardens, Trustees, or other persons - - - - -	-	-	-
From Sales of burial rights, or rights of constructing vaults or other places of burial, &c. - - - - -	-	-	-
Rents of Property - - - - -	-	-	-
Other Receipts, specifying them :-*			

Total Receipts (excluding Balance) to be carried to summary on page 126 -	£		
Total - - - - -	£		

If the Council during the year to which this Statement relates acted as the Burial Authority for an area comprising part only of the Borough, it is requested that the names of the Parishes within the area may be stated below :-

* Small items of receipt under this heading may be classed as "Miscellaneous."

Boroughs:—Financial Statement

115

BY THE COUNCIL UNDER THE BURIAL ACTS.

EXPENDITURE OTHER THAN OUT OF LOANS.			
	£	s.	d.
Cost of Burial Grounds and Buildings thereon (including the wages of persons employed to keep the grounds in order; and the cost of making graves) - - - -	-	-	-
Fees paid to Ministers of Religion and Sextons for services rendered - - - -	-	-	-
Fees, other than fees for services rendered, paid under Section 3 (4) (i) of the Burial Act, 1900; payments under Section 3 (4) (ii) in commutation of such fees; and compensation paid under Section 3 (5) - - - -	-	-	-
Salaries and wages other than those included in the first item above - - - -	-	-	-
Repayment of Loans and Interest on Loans:—			
Principal repaid:—*	£	s.	d.
To the London County Council -			
To other lenders - - - -			
Interest (including Income Tax):—			
To the London County Council -			
To other lenders - - - -			
Establishment Charges, viz.:—Cost of stationery, books postage, printing, advertisements, gas and fuel for office, rent, rates, taxes, and insurance, &c. - - - -	-	-	-
Legal expenses - - - -	-	-	-
Other Payments, specifying them:—†			

Total Expenditure other than out of Loans to be carried to summary on page 126 - - - -			
	£		
Balance - - - -	£		
Total Expenditure (other than out of Loans) and Balance - - - -			
	£		

* Loans paid off by means of re-borrowings should not be entered as expenditure in respect of "Principal repaid."
† Small items of expenditure under this heading may be classed as "Miscellaneous."

PART II. B.—SUMS RECEIVED AND EXPENDED BY THE

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Balance brought forward - - - -	-	-	-
From Rates (allocated to Baths and Washhouses Account) - -	-	-	-
Value of Tickets sold :—			
Baths - - - - -			
Washhouses - - - - -			
Receipts from letting of covered Swimming Baths - -	-	-	-
Other Receipts, specifying them :—*			

Total Receipts (excluding balance) to be carried to Summary on page 136	£		
Total - - - - -	£		

If the Council during the year to which this Statement relates acted as the authority under the Baths and Washhouses Acts for an area comprising part only of the Borough, it is requested that the names of the Parishes within the area may be stated below :—

* Small items of receipt under this heading may be classed as "Miscellaneous."

COUNCIL UNDER THE BATHS AND WASHHOUSES ACTS.

EXPENDITURE OTHER THAN OUT OF LOANS.

	£	s.	d.	£	s.	d.	£	s.	d.
Cost of Buildings			
Repairs and Maintenance			
Coals and Gas			
Water			
Other Materials			
Salaries and other Remuneration of Officers and Servants			
Establishment Charges, viz.:—Cost of stationery, books, postage, printing, advertisements, gas and fuel for office, rent, rates, taxes, and insurance, &c.			
Repayment of Loans and Interest on Loans:—									
Principal repaid:—*			£	s.	d.				
To the London County Council			
To other lenders			
Interest (including Income Tax):—									
To the London County Council			
To other lenders			
Other Payments, specifying them:—†									

Total expenditure other than out of Loans to be carried to summary on page 136							£		
Balance								£	
Total expenditure (other than out of Loans) and balance									£

* Loans paid off by means of re-borrowings should not be entered as expenditure in respect of "Principal repaid."
† Small items of expenditure under this heading may be classed as "Miscellaneous."

PART II. C.—SUMS RECEIVED AND EXPENDED BY

RECEIPTS OTHER THAN FROM LOANS.			
	£	s.	d.
Balance brought forward	-	-	-
From Rates (allocated to Public Libraries Account)	-	-	-
Donations and Subscriptions	-	-	-
Fines and Penalties	-	-	-
Other Receipts, specifying them :—*			
Sale of catalogues, forms of application for tickets &c.			
Total Receipts (excluding balance) to be carried to summary on page 126	£		
Total	£		

If the Council during the year to which this Statement relates acted as the Authority under the Public Libraries Acts for an area comprising part only of the Borough it is requested that the names of the Parishes within the area may be stated below :—

* Small items of receipt under this heading may be classed as "Miscellaneous."

THE COUNCIL UNDER THE PUBLIC LIBRARIES ACTS.

EXPENDITURE OTHER THAN OUT OF LOANS.

	£	s.	d.	£	s.	d.	£	s.	d.
Buildings, Repairs, and Maintenance - - - - -									
Books, Newspapers, &c. - - - - -									
Salaries and other Remuneration of Officers and Assistants - - - - -									
Establishment Charges, viz.:—Cost of stationery, books of account, postage, printing, advertisements, gas and fuel for office, rent, rates, taxes, and insurance, &c. - - - - -									
Repayment of Loans and Interest on Loans :—									
Principal repaid :—*			£	s.	d.				
To the London County Council - - - - -									
To other lenders - - - - -									
Interest (including Income Tax) - - - - -									
To the London County Council - - - - -									
To other lenders - - - - -									
Other payments, specifying them :—†									
Total Expenditure other than out of loans to be carried to Summary on page 126 - - - - -									
			Balance - - - - -			£			
Total Expenditure (other than out of loans) and balance - - - - -									
						£			

* Loans paid off by means of re-borrowings should not be entered as expenditure in respect of "Principal repaid."

† Small items of expenditure under this heading may be classed as "Miscellaneous."

PART III.—SUMS RECEIVED AND EXPENDED BY THE

RECEIPTS OTHER THAN FROM LOANS.				
	£	s.	d.	£ s. d.
Balance brought forward - - -	-	-	-	
From Rates (allocated to Electric Lighting Account) - - - - -	-	-	-	
Charges for the supply of electric current to private consumers :—				
For Lighting - - - - -				
For Motive Power - - - - -				
Rents of Meters and Apparatus belonging to the Council - - - - -	-	-	-	
Other Receipts, specifying them :—				

Total Receipts other than from loans (excluding balance) to be carried to Summary on page 120 - - - - -				£
Transfer from General Account (page 113):—				
Value of Electricity supplied in respect of Public Lighting £				
Total Receipts (other than from loans) and Transfer - - - - -				£
Total - - - - -				£

* Small items of receipt under this heading may be classed as "Miscellaneous."

COUNCIL UNDER THE ELECTRIC LIGHTING ACTS.

EXPENDITURE OTHER THAN OUT OF LOANS.			
	£	s.	d.
Working Expenses and cost of maintenance of the Undertaking (including wages of workmen and assistants) -	.	.	.
Management Expenses :—			
Salaries (excluding wages of workmen and assistants)			
Establishment Charges (including office expenses) -	.	.	.
Legal Expenses - . . . . .	.	.	.
Repayment of Loans and Interest on Loans :—			
Principal repaid :—*	£	s.	d.
To the London County Council -	.	.	.
To other lenders - . . . .	.	.	.
Interest (including Income Tax):—			
To the London County Council -	.	.	.
To other lenders - . . . .	.	.	.
Other payments, specifying them :—†			

Total Expenditure other than out of Loans to be carried to Summary on page 136 -	£		
Balance	£		
Total Expenditure (other than out of Loans) and Balance . .	£		

* Loans paid off by means of re-borrowings should not be entered as expenditure in respect of "Principal repaid."

† Small items of expenditure under this heading may be classed as "Miscellaneous."

PART IV.—RECEIPTS FROM AND

RECEIPTS FROM LOANS.			
	£	s.	d.
Balances at commencement of the year, viz. :—			
Loans raised during the period in respect of :—			
Highways and Public Street Improvements			
Sewerage and Drainage			
Parks, Pleasure Grounds, Commons, and Open Spaces			
Housing of the Working Classes			
Mortuaries, and places for post-mortem examinations and inquests			
Public Conveniences			
Docks, Wharves, Yards, Refuse Destructors, and Works connected therewith			
Other Public Buildings, specifying them :—			
Other Public Works or Purposes, specifying them :—			
Total	£		
Under the Adoptive Acts :—	£	s.	d.
Burial Acts			
Baths and Washhouses Acts			
Public Libraries Acts			
Total under Adoptive Acts	£		
Under the Electric Lighting Acts			
Total Receipts from Loans (excluding Balance) to be carried to Summary on page 126			£
Total			£

EXPENDITURE OUT OF LOANS.

EXPENDITURE OUT OF LOANS.

In respect of the undermentioned works or purposes, amounts contributed to the London County Council out of borrowed moneys being distinguished in a note or otherwise, in each case:—

Highways and Public Street Improvements - - -

Sewerage and Drainage - - - - -

Parks, Pleasure Grounds, Commons, and Open Spaces

Housing of the Working Classes - - - - -

Mortuaries, and places for post-mortem examinations and inquests - - - - -

Public Conveniences - - - - -

Dépôts, Wharves, Yards, Refuse Destructors, and Works connected therewith - - - - -

Other Public Buildings, specifying them:—

	£ s. d.

Other Public Works or Purposes, specifying them:—

	£ s. d.

Total - - - £

Under the Adoptive Acts:—

Burial Acts - - - - -

Baths and Washhouses Acts - - - - -

Public Libraries Acts - - - - -

Total under Adoptive Acts - - - - - £

Under the Electric Lighting Acts - - - - -

Total Expenditure out of Loans to be carried to Summary on page 126 £

. Balances at the end of the year, viz.:—

Purpose of Loan.	£ s. d.

Total Balances - - - - - £

Total Expenditure out of Loans and Balance - - - £

STATEMENT

Purpose of Loan.	Amount of Loan sanctioned.	Date of Sanction.	Amount originally borrowed.	Name of Lender.	Date of original borrowing.
1.	2.	3.	4.	5.	6.
	£		£		
Highways and Public Street Improvements - - -					
Sewerage and Drainage -					
Parks, Pleasure Grounds, Commons, and Open Spaces - - - -					
Housing of the Working Classes - - - -					
Mortuaries, and places for post-mortem examina- tions and inquests - -					
Public Conveniences - -					
Depôts, Wharves, Yards, Refuse Destroyers, and Works connected there- with - - - -					
Other Public Buildings, specifying them :— _____ _____ _____					
Other Public Works or Purposes, specifying them :— _____ _____ _____					
Under the Adoptive Acts :—					
Burial Acts - - -					
Baths and Washhouses Acts - - - -					
Public Libraries Acts -					
Under the Electric Light- ing Acts - - - -					
Totals* - - -					

NOTE.—Explanatory notes should be appended to this Statement in all cases where the been devoted to the repayment of Loans prior to the close of the year, or where the balance has amount of this increase or decrease should be clearly stated in the notes.

* The totals should also be given in respect of each group of loans, where there is more than one loan for any of the purposes specified.

SUMMARY OF THE RECEIPTS AND EXPENDITURE SHOWN IN THE FOREGOING STATEMENT.

		£	s.	d.
Receipts :—				
Other than from Loans :—				
Part I.—On General Account	- - - - -			
Part II.—Under the Adoptive Acts :—				
A. Burial Acts	- - - - -			
B. Baths and Washhouses Acts	- - - - -			
C. Public Libraries Acts	- - - - -			
Part III.—Under the Electric Lighting Acts	- - - - -			
From Loans :—				
Part IV.	- - - - -			
Total Receipts		£		
Expenditure :—				
Other than out of Loans :—				
Part I.—On General Account :—		£	s.	d.
Payments under precept	- - - - -			
Other Expenditure	- - - - -			
Part II.—Under the Adoptive Acts :—				
A. Burial Acts	- - - - -			
B. Baths and Washhouses Acts	- - - - -			
C. Public Libraries Acts	- - - - -			
Part III.—Under the Electric Lighting Acts	- - - - -			
Out of Loans :—				
Part IV.	- - - - -			
Total Expenditure		£		
Deduct :—				
Payments under Precept to other Local Authorities, viz. (see page 109) :—		£	s.	d.
Guardians of _____ Union	- - - - -			
" " " " " "	- - - - -			
London County Council -	- - - - -			
School Board for London	- - - - -			
Receiver for the Metropolitan Police District	- - - - -			
Net Expenditure on which Stamp Duty is payable		£		

Town Clerk (or other Officer).

day of _____, 190 .

* Total Expenditure as shown above	- - - - -	£	s.	d.
Less Amount disallowed at Audit	- - - - -			
Amount allowed at Audit	- - - - -	£		

I hereby certify that I have compared the entries in this financial statement with the vouchers and other documents relating thereto, and that the regulations with respect to such statement have been duly complied with.

I hereby further certify that I have ascertained by audit the correctness of such statement, and that the expenditure of the borough council during the year ended the 31st day of March, 190 , included in such statement, and allowed by me at the audit, is*

As witness my hand this _____ day of _____ 190 .

Stamp.

_____ District Auditor.

Given under the seal of office of the Local Government Board, this thirtieth day of June, in the year One thousand nine hundred and two.

(L.S.)

Walter H Long,
President.

S. B. Provis,
Secretary.

* The amount to be inserted in words at length.

iii. Officers and Offices.

THE SANITARY OFFICERS (LONDON) ORDER, 1891, DATED DECEMBER 8, 1901, MAKING REGULATIONS AS TO MEDICAL OFFICERS OF HEALTH AND SANITARY INSPECTORS UNDER THE PUBLIC HEALTH (LONDON) ACT, 1891*

To the several Sanitary Authorities for the execution of the Public Health (London) Act, 1891,* in the Administrative County of London ;—

And to all others whom it may concern.

Whereas by a General Order dated the 28th day of March, 1889,† we, the Local Government Board, acting under the authority conferred upon us by the statutes in that behalf, prescribed regulations with respect to the appointment, tenure of office, salary, and duties of medical officers of health who might be appointed on or after the first day of April, 1889, by the Commissioners of Sewers in the City of London, or by any vestry or district board for the time being acting under the Metropolis Management Act, 1855,‡ or any Act amending the

* 54 & 55 Vict. c. 76.

† Published in "London Gazette" March 29, 1889, pp. 1786-1788.

‡ 18 & 19 Vict. c. 120.

same, where a part of the salary of such officer would be payable by the London County Council; and also made regulations with respect to the duties of such officers where no part of the salary would be payable by the London County Council;

And whereas by an Order dated the 21st day of October, 1889, we directed that the said General Order should apply to the Woolwich Local Board of Health and to any medical officer of health appointed by them;

And whereas by Sub-sections (1) and (3) of Section 106 of the Public Health (London) Act, 1891,* it is enacted as follows;—

“(1.) Every sanitary authority shall appoint one or more medical officers of health for their district.”

* * * * *

“(3.) Every person appointed or re-appointed after the commencement of this Act as medical officer of health of a district shall (except during the two months next after the time of his appointment, or except in cases allowed by the Local Government Board) reside in such district or within one mile of the boundary thereof, and if, while not so residing as required by this enactment, he assumes to act or receive any remuneration as such medical officer of health, he shall cease to hold the office.”

And whereas by Sub-section (1) of Section 107 of the said Act it is enacted as follows:—

“(1.) Every sanitary authority shall appoint an adequate number of fit and proper persons as sanitary inspectors, and may distribute among them the duties to be performed by sanitary inspectors, and every such inspector shall be a person, qualified and competent by his knowledge and experience to perform the duties of his office.”

And whereas by Section 108 of the said Act it is enacted as follows:—

“(1.) Subject to the provisions of this Act as to existing officers, the Local Government Board shall have the same powers as they have in the case of a district medical officer of a poor law union with regard to the qualification, appointment, duties, salary, and tenure of office of every medical officer of health and sanitary inspector and one-half of the salary of every such medical officer and sanitary inspector, shall be paid by the county council out of the Exchequer contribution account in accordance with section twenty-four of the Local Government Act, 1888,† and that section shall be construed as if in sub-section two thereof the reference to the Public Health Act, 1875,‡ included a reference to this Act.

“(2.) Provided that—

“(a.) A medical officer of health shall be legally qualified for the practice of medicine, surgery, and midwifery, and also either be registered in the medical register as the holder of a diploma in sanitary science, public health, or state medicine under section twenty-one of the Medical Act, 1886,§ or have been during three consecutive years preceding the year One thousand eight hundred and ninety-two, a medical officer of a district or combination of districts in London or elsewhere with a population according to the last published census of not less than

* 54 & 55 Vict. c. 76.

† 38 & 39 Vict. c. 55

‡ 51 & 52 Vict. c. 41.

§ 49 & 50 Vict. c. 48.

twenty thousand, or have before the passing of the Local Government Act, 1888,* been for not less than three years a medical officer or inspector of the Local Government Board; and

“(b) A medical officer of health shall be removable by the sanitary authority with the consent of the Local Government Board, or by that board, and not otherwise;

“Provided that the Local Government Board shall take into consideration every representation made by the sanitary authority for the removal of any medical officer, whether based on the general interests of the district, on the conduct of such officer, or on any other ground; and

“(c) Any such medical officer shall not be appointed for a limited period only; and

“(d) A sanitary inspector appointed after the first day of January, One thousand eight hundred and ninety-five, shall be holder of a certificate of such body as the Local Government Board may from time to time approve, that he has by examination shown himself competent for such office or shall have been, during three consecutive years preceding the year One thousand eight hundred and ninety-five, a sanitary inspector or inspector of nuisances of a district in London, or of an urban sanitary district out of London containing according to the last published census a population of not less than twenty thousand inhabitants.”

Now, therefore, we, the Local Government Board, hereby order that on and after the first day of January, One thousand eight hundred and ninety-two, the above-cited Orders dated respectively the twenty-eighth day of March, One thousand eight hundred and eighty-nine and the twenty-first day of October, One thousand eight hundred and eighty-nine, shall be rescinded except so far as relates to any medical officer of health who on the first day of January, One thousand eight hundred and ninety-two, holds office under an appointment made before that date.

And we hereby order as follows with respect to the appointment, tenure of office, salary, and duties of every medical officer of health or sanitary inspector who shall be appointed by any sanitary authority in the administrative county of London on or after the first day of January, One thousand eight hundred and ninety-two, or who, having been appointed by such sanitary authority prior to that date, shall be re-appointed by them on or after that date, and who in either case shall not be appointed in pursuance of a temporary arrangement made with our sanction under section 109 of the Public Health (London) Act, 1891:—†

Appointment.

Article 1.—Before any appointment is made under this Order a statement shall be submitted to us containing the particulars mentioned in the form set forth in the schedule

* 51 & 52 Vict. c. 41.

† 54 & 55 Vict. c. 76.

to this Order, and such other particulars as may from time to time be required by us:

Provided that where any such statement has been submitted to us under either of the above-cited Orders or under this Order no further statement under this article shall be necessary, unless the sanitary authority, on any appointment, propose to alter the terms of the appointment, or unless we require a fresh statement to be submitted.

Article 2.—When our approval has been given to the proposals contained in the statement so submitted, the sanitary authority shall proceed to the appointment of the officer accordingly: Provided that if the sanitary authority make the appointment before submitting such a statement as hereinbefore mentioned, the appointment shall be valid if approved by us.

Article 3.—An appointment shall not be made unless an advertisement specifying the district or part of a district for which such appointment is to be made, together with the amount of salary proposed to be assigned, and the day fixed for such appointment, shall have appeared in some public newspaper or newspapers circulating in the district of the sanitary authority at least seven days before the day so fixed.

Article 4.—Every officer shall be appointed, by a majority of the members present and voting on the question, at a meeting of the sanitary authority, but such appointment shall be subject to our approval.

Article 5.—Every appointment shall, within seven days after it is made, be reported to us by the clerk to the sanitary authority.

Article 6.—Upon the occurrence of a vacancy, the sanitary authority shall proceed to make a fresh appointment.

Article 7.—If a vacancy be about to occur on notice being given by an officer of an intended resignation to take effect on a future day, or on notice given by the sanitary authority in pursuance of Article 12 of this Order, or, in the case of an officer who holds his office for a specified term, by the term coming to an end, the sanitary authority may re-appoint such officer, or appoint his successor, at any time subsequent to the giving of the notice, or within three calendar months next before the expiration of the term.

Article 8.—If in the case of an officer holding office on the first day of January, One thousand eight hundred and ninety-two, the sanitary authority desire to re-appoint him, or if in the case of a sanitary inspector who may have been appointed under this Order for a specified term the sanitary authority should desire to re-appoint him for a further term or otherwise in conformity with the provisions of this Order, it shall not be necessary for notice of the proposed re-appointment to

be given by advertisement, if notice be given at one of the two ordinary meetings of the sanitary authority next preceding the meeting at which the re-appointment is to be made.

Tenure of Office.

Article 9.—Every medical officer of health shall continue to hold office until he die, or resign, or be removed by the sanitary authority with our consent, or be removed by us, or be proved to be insane by evidence which we shall deem sufficient.

Article 10.—Every sanitary inspector shall continue to hold office for such period as the sanitary authority may, subject to our approval, determine at the time of his appointment, or until he die or resign, or be removed by such authority or by us, or be proved to be insane by evidence which we shall deem sufficient.

Article 11.—The sanitary authority may, at their discretion, suspend any officer from the discharge of his duties, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to us. The suspension may in the case of a medical officer of health be removed by the sanitary authority or by us, and in the case of a sanitary inspector by the sanitary authority, and, in either case, if the suspension be removed the officer shall forthwith resume the performance of his duties.

Article 12.—Where any change in the extent of the area for which any medical officer of health is appointed, or in his duties or salary may be deemed necessary, and he shall decline to acquiesce therein, the sanitary authority may, with our consent but not otherwise, and after six months' notice in writing, signed by their clerk, given to such officer, determine his office.

Article 13.—A person shall not be appointed as medical officer of health or sanitary inspector who does not agree to give one month's notice previous to resigning the office, or to forfeit such sum as may be agreed upon as liquidated damages.

Salary.

Article 14.—The sanitary authority shall pay to every officer such salary as may be approved by us :

Provided always that the sanitary authority may, with our approval, pay to any officer a reasonable compensation on account of extraordinary services, or other unforeseen or special circumstances connected with his duties or the necessities of the district.

Article 15.—The salary of every officer shall be payable up to the day on which he ceases to hold office and no longer,

subject to any deduction which the sanitary authority may be entitled to make in respect of Article 13 of this Order; and in case he shall die whilst holding such office, the proportion of salary (if any) remaining unpaid at his death shall be paid to his personal representatives:

Provided that an officer who may be suspended, and who may, without the previous removal of such suspension, resign or be removed under Article 9 or Article 10 of this Order, shall not be entitled to any salary from the date of such suspension.

Article 16.—The salary assigned to every officer shall be payable quarterly, according to the usual feast days in the year, namely, Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day; but the sanitary authority may pay to him at the expiration of every calendar month such proportion as they may think fit, on account of the salary to which he would become entitled at the termination of the quarter.

Article 17.—All salaries shall be considered as accruing from day to day, and be apportionable in respect of time accordingly, in pursuance of the provisions of the Apportionment Act, 1870.*

Duties of Medical Officer of Health.

Article 18.—The following shall be the duties of a medical officer of health as regards the district or part of a district for which he is appointed (in this article referred to as "his district") :—

- (1.) He shall inform himself as far as practicable respecting all influences affecting or threatening to affect injuriously the public health within his district.
- (2.) He shall inquire into and ascertain by such means as are at his disposal the causes, origin, and distribution of diseases within his district, and ascertain to what extent the same have depended on conditions capable of removal or mitigation.
- (3.) He shall by inspection of his district, both systematically at certain periods and at intervals as occasion may require, keep himself informed of the conditions injurious or dangerous to health existing therein.
- (4.) He shall be prepared to advise the sanitary authority on all matters affecting the health of his district, and on all sanitary points involved in the action of the sanitary authority; and in cases requiring it, he shall certify, for the guidance of the sanitary authority, or of the justices, as to any matter in respect of which the certificate of a medical officer of health or a medical practitioner is required as the basis or in aid of sanitary action.

* 33 & 34 Vict. c. 35.

- (5.) He shall advise the sanitary authority on any question relating to health involved in the framing and subsequent working of such byelaws and regulations as they may have power to make.
- (6.) On receiving information of the outbreak of any dangerous infectious disease within his district, he shall visit without delay the spot where the outbreak has occurred, and inquire into the causes and circumstances of such outbreak, and in case he is not satisfied that all due precautions are being taken, he shall advise the persons competent to act as to the measures which may appear to him to be required to prevent the extension of the disease, and shall take such measures for the prevention of disease as he is legally authorised to take under any statute in force in the district or by any resolution of the sanitary authority.
- (7.) Subject to the instructions of the sanitary authority, he shall direct or superintend the work of the sanitary inspector or sanitary inspectors in the way and to the extent that the sanitary authority shall approve, and on receiving information from any sanitary inspector that his intervention is required in connection with any nuisance, he shall, as early as practicable, take such steps as he is legally authorised to take under any statute in force in the district, or by any resolution of the sanitary authority, as the circumstances of the case may justify and require.
- (8.) In any case in which it may appear to him to be necessary or advisable, or in which he shall be so directed by the sanitary authority, he shall himself inspect and examine any animal intended for the food of man which is exposed for sale or deposited in any place for the purpose of sale or for preparation for sale, and any article, whether solid or liquid, intended for the food of man, and sold or exposed for sale, or deposited in any place for the purpose of sale or of preparation for sale. If such animal or article appears to him to be diseased, or unsound, or unwholesome, or unfit for the food of man, he shall seize and carry away the same himself or by an assistant in order to have the same dealt with by a justice according to the provisions of Section 47 of the Public Health (London) Act, 1891.*
- (9.) He shall perform all the duties imposed upon him by any byelaws and regulations of the sanitary authority, duly confirmed where confirmation is legally required, in respect of any matter affecting the public health, and touching which the sanitary authority are authorised to frame byelaws and regulations.

* 54 & 55 Vict. c. 76.

- (10.) He shall inquire into any offensive process of trade carried on within his district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom.
- (11.) He shall from time to time inspect any bakehouses which are workshops, and are situate within his district, and he shall thereupon report to the sanitary authority whether any steps are necessary to be taken for the purpose of enforcing, as respects such bakehouses, the provisions of Sections 34, 35, and 81 of the Factory and Workshop Act, 1878,* † and Sections 15 and 16 of the Factory and Workshop Act, 1883.† ‡
- (12.) He shall attend at the office of the sanitary authority or at some other appointed place, at such stated times as they may direct.
- (13.) He shall from time to time report in writing to the sanitary authority his proceedings and the measures which may require to be adopted for the improvement or protection of the public health in his district. He shall in like manner report with respect to the sickness occurring within his district, and the mortality thereof, so far as he is able to ascertain the same.
- (14.) He shall keep a book or books, to be provided by the sanitary authority, in which he shall make an entry of his visits, and notes of his observations and instructions thereon, and also the date and nature of applications made to him, the date and result of the action taken thereon and of any action taken on previous reports; and shall produce such book or books whenever required, to the sanitary authority.
- (15.) He shall also make an annual report to the sanitary authority, up to the thirty-first day of December in each year, comprising a summary of the action taken, or which he has advised the sanitary authority to take, during the year for preventing the spread of disease, and an account of the sanitary state of his district generally, at the end of the year. The report shall also contain an account of the inspections and inquiries which he has made as to conditions injurious or dangerous to health existing in his district, and of the proceedings in which he has taken part or advised under any statute, so far as such proceedings relate to those conditions; and also an account of the supervision exercised by him, or on his advice, for sanitary purposes over places and houses that the sanitary authority have power to regulate, with the nature and results of any proceedings which may have been so required and taken

* 41 & 42 Vict. c. 16.

† 46 & 47 Vict. c. 53.

‡ Both these Acts were repealed and other provisions made by the Factory and Workshop Act, 1891 (1 Edw. 7. c. 22).

in respect of the same during the year. The report shall also record the action taken by him, or on his advice, during the year, in regard to offensive trades, to factories and workshops, and to dairies. The report shall also contain tabular statements (on forms to be supplied by us, or to the like effect,) of the sickness and mortality within his district, classified according to diseases, ages, and localities :

Provided that, if the medical officer of health shall resign or be removed before the thirty-first day of December in any year, he shall thereupon make the like report for that part of the year during which he has held office.

- (16.) He shall give immediate information to us of any outbreak of dangerous epidemic disease within his district. He shall transmit to us a copy of each annual report and of any special report made by him. On his advising the sanitary authority with a view to their requiring the closure of any school or schools, in pursuance of the code of regulations approved by the Education Department and for the time being in force, he shall forthwith report specially to us the grounds of his advice.
- (17.) At the same time that he gives information to us of an outbreak of dangerous epidemic disease, or transmits to us a copy of his annual report or of any special report, he shall give the like information or transmit a copy of such report to the London County Council.
- (18.) In matters not specifically provided for in this Order, he shall observe and execute any instructions issued by us, and the lawful orders and directions of the sanitary authority applicable to his office.
- (19.) Whenever we shall make regulations for all or any of the purposes specified in Section 134 of the Public Health Act, 1875,* as extended to London by Section 113 of the Public Health (London) Act, 1891,† and shall declare the regulations so made to be in force within his district or any part thereof, he shall observe such regulations, so far as the same relate to or concern his office.

Duties of Sanitary Inspector.

Article 19.—The following shall be the duties of a sanitary inspector as regards the district or part of a district for which he is appointed (in this article referred to as “his district”) :—

- (1.) He shall perform, either under the special directions of the sanitary authority, or (so far as authorised by the sanitary authority) under the directions of

* 38 & 39 Vict. c. 55.

† 54 & 55 Vict. c. 76.

the medical officer of health, or, in cases where no such directions are required, without such directions, all the duties specially imposed upon a sanitary inspector by any statute or statutes, or by the orders issued by us, so far as the same apply to his office.

- (2.) He shall attend all meetings of the sanitary authority when so required.
- (3.) He shall by inspection of his district, both systematically at certain periods, and at intervals as occasion may require, keep himself informed in respect of the nuisances existing therein that require abatement.
- (4.) On receiving notice of the existence of any nuisance within his district, or of the breach of any byelaws or regulations made by the sanitary authority for the suppression of nuisances, or of any byelaws made by the London County Council which it is the duty of the sanitary authority to enforce, he shall, as early as practicable, visit the spot, and inquire into such alleged nuisance or breach of byelaws or regulations.
- (5.) He shall report to the sanitary authority any noxious or offensive businesses, trades, or manufactories established within his district, and the breach or non-observance of any byelaws or regulations made in respect of the same.
- (6.) He shall from time to time, and forthwith upon complaint, visit and inspect the shops and places in which is exposed for sale or in which is deposited for the purpose of sale or of preparation for sale, any animal, or any article, whether solid or liquid, intended for the food of man, and examine any such animal or article which may be therein. If any such animal or article appears to him to be diseased, or unsound, or unwholesome, or unfit for the food of man, he shall seize and carry away the same himself or by an assistant in order to have the same dealt with by a justice according to the provisions of Section 47 of the Public Health (London) Act, 1891 : * Provided that in any case of doubt arising under this clause, he shall report the matter to the medical officer of health, with the view of obtaining his advice thereon.
- (7.) He shall, when and as directed by the sanitary authority, procure and submit samples of food, drink or drugs suspected to be adulterated, to be analysed by the analyst appointed under "The Sale of Food and Drugs Act, 1875," and upon receiving a certificate stating that the articles of food, drink, or drugs are adulterated, cause a complaint to be made, and take the other proceedings prescribed by that Act.

* 54 & 55 Vict. c. 76.

- (8.) Whenever it appears to him that the intervention of the medical officer of health is necessary in connection with any nuisance, he shall forthwith inform such officer thereof. He shall also, subject to the directions of the sanitary authority, attend to the instructions of the medical officer of health with respect to any measures which can be lawfully taken by a sanitary inspector under the Public Health (London) Act, 1891,* or under any other statute or statutes.
- (9.) He shall enter from day to day, in a book to be provided by the sanitary authority, particulars of his inspections and of the action taken by him in the execution of his duties. He shall also keep a book or books, to be provided by the sanitary authority, so arranged as to form, as far as possible, a continuous record of the sanitary condition of each of the premises in respect of which any action has been taken under the Public Health (London) Act, 1891,* or under any other statute or statutes, and shall keep any other systematic records that the sanitary authority may require.
- (10.) He shall at all reasonable times, when applied to by the medical officer of health, produce to him his books or any of them, and render to him such information as he may be able to furnish with respect to any matter to which the duties of sanitary inspector relate.
- (11.) He shall, if directed by the sanitary authority to do so, superintend and see to the due execution of all works which may be undertaken under their direction for the suppression or removal of nuisances within his district.
- (12.) In matters not specifically provided for in this Order, he shall observe and execute any instructions issued by us, and the lawful orders and directions of the sanitary authority applicable to his office.

Article 20.—Where in any district there shall be two or more sanitary inspectors nothing in this Order shall be deemed to prevent the sanitary authority from distributing among them the duties directed by this Order to be performed by a sanitary inspector.

Interpretation of Terms.

Article 21.—The expressions used in this Order shall have the same meaning as expressions in the Public Health (London) Act, 1891.*

* 54 & 55 Vict. c. 76.

Title of Order.

Article 22.—This Order may be cited as the Sanitary Officers (London) Order, 1891.

Schedule.

PUBLIC HEALTH (LONDON) ACT, 1891.

Proposal for Appointment of Medical Officer of Health or Sanitary Inspector.

(Under the provisions of the General Order of the Local Government Board dated the 8th of December, 1891.)

1. State the name of the sanitary authority by whom the appointment is proposed to be made.

2. If the sanitary authority are a district board of works, state the names of the parishes, either wholly or in part, comprised in the district or area proposed to be assigned to the medical officer of health or sanitary inspector.

The words "part of" should be prefixed in those cases where only a part of a parish is proposed to be included.

3. The extent (in acres) of the district or area for which the appointment is to be made.

If the exact extent is not known, it should be estimated as nearly as practicable, and the word "estimated" should be added.

4. The population, according to the last published census, of the district or area for which the appointment is to be made.

If the exact population is not known, it should be estimated as nearly as practicable, and the word "estimated" should be added.

5. If in the case of a sanitary inspector the appointment is to be made for a temporary period, state the term for which it is proposed that the appointment should be made.

6. The amount of the salary proposed.

7. Whether it is intended that the officer should give his whole time to the performance of the duties of his office.

8. The date on which it is proposed that he should commence the duties of his office.

Signature

Clerk to the Sanitary Authority.

Date

Given under the seal of office of the Local Government Board, this eighth day of December, in the year One thousand eight hundred and ninety-one.

(L.S.)

Chas. T. Ritchie,
President.

Hugh Owen,
Secretary.

**THE LONDON (EXISTING OFFICERS) SCHEME, 1900,
APPROVED BY ORDER IN COUNCIL OF AUGUST 7, 1900.**

1900. No. 602.

Whereas by various Orders in Council under the London Government Act, 1899* (in this Scheme referred to as the Act), twenty-eight metropolitan boroughs are, as from the commencement of these Orders, established and a council for each such borough is established and incorporated.†

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in Council to refer to a Committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the Committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision amongst other things—

- (a) for any matters which under the Act are to be regulated by scheme; and
- (b) for carrying into effect the Act or any Order in Council made thereunder;

and may contain any incidental consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas by Section 30 of the Act (which relates to existing officers) it is amongst other things enacted that a scheme under the Act may make such provision as may appear necessary for carrying that section into effect, and if necessary for determining the authority to whom any existing officer is to be transferred, and for applying the provisions of that section to any officer who suffers pecuniary loss by reason of anything in or done under the Act, although he is not transferred to a metropolitan borough council, and although he is not an officer of an authority whose powers and duties are transferred by or under the Act, and for determining in any such case the fund out of which compensation is to be paid.

And whereas by virtue of the Superannuation (Metropolis) Act, 1866, and of various Acts applying the provisions of that Act, certain authorities whose officers or whose powers and duties are transferred to the council of metropolitan boroughs by or under the Act may at their discretion, and under the circumstances in the said Act mentioned, grant to any officer in their respective services an annual superannuation allowance, not exceeding the sum therein mentioned, regard being had to the scale of allowances thereafter contained, and the said scale is framed with reference to the length of service of the officers.

29 & 30 Vict.
c. 31.

* 62 & 63 Vict. c. 14.

† See the 28 Orders in Council establishing the Metropolitan Boroughs and incorporating their Councils registered and printed as Statutory Rules and Orders, 1900, Nos. 380–407 inclusive.

59 & 60 Vict.
c. 50.

And whereas the provisions of the Poor Law Officers' Superannuation Act, 1896, constitute some of the terms and conditions on which certain officers, who will by or under the Act be transferred to the councils of metropolitan boroughs, hold office before the transfer.

And whereas certain officers who will by or under the Act be transferred to the councils of metropolitan boroughs can at present only be removed by or with the consent of the Local Government Board.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order, and declare as follows:—

Interpretation
and effect.

1.—(1.) The Interpretation Act, 1889,* applies for the purpose of the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

(2.) This scheme shall have effect subject to the provisions of any future scheme made under the Act.

Compensation
to existing
officers.

2. Sub-section (2) of Section 30 of the Act shall apply to every existing officer who, although he is not transferred to the council of a metropolitan borough, and although he is not an officer of an authority whose powers and duties are transferred by or under the Act, suffers pecuniary loss by reason of anything in or done under the Act in like manner as it applies to an existing officer mentioned in that section, and the Local Government Board may in the case of doubt determine the authority to which application is to be made for compensation, and the fund out of which the compensation (if any) is to be paid.

Rights to
compensation.

3. The council of a metropolitan borough may agree with any existing officer who is transferred by or under the Act to the council that the acceptance by that officer of an office under the council for a temporary period shall not prejudice any right to compensation to which the officer would otherwise have been entitled by or under the Act.

Super-
annuation
allowances
29 & 30 Vict.
c. 31.

4.—(1.) Subject to the provisions of the Superannuation (Metropolis) Act, 1866, in computing the time of the service for the purposes of that Act of an officer of the council of a metropolitan borough who has been transferred by or under the Act to that council from any other authority, and who before the transfer was an officer to whom the Superannuation (Metropolis) Act, 1866, applied, any period during which the officer was in the service of that other authority shall be included.

* 52 & 53 Vict. c. 63.

(2.) If an officer or servant of any authority to which the Poor Law Officers' Superannuation Act, 1896, applies— 59 & 60 Vict.
c. 50.

(a) is by or under the Act transferred to the council of a metropolitan borough; and

(b) has made the annual contributions required to be made under the said Act,

the provisions of the said Act shall, as respects that officer or servant, apply to the council of the metropolitan borough to which he is transferred in like manner, as nearly as may be, as they apply to guardians, and the contributions of that officer or servant shall be carried to and form part of the fund applicable to the general expenses of the council, and the superannuation allowances and gratuities under the said Act shall be paid out of the general rate:

Provided that—

(1) the authority from which the officer is transferred shall pay to the treasurer of the metropolitan borough to which he is transferred, out of the fund to which contributions of the officer or servant were paid before the transfer, the amount of those contributions; and

(2) if the officer or servant becomes entitled to compensation under Section 30 of the Act by reason of his relinquishing his office or of his office being abolished, he shall be deemed to lose his office within the meaning of Section 8 of the Poor Law Officers' Superannuation Act, 1896,* but a gratuity shall not be granted to any such officer or servant under that section.

5. Where an officer transferred by or under the Act to the council of a metropolitan borough could before the transfer only be removed by or with the consent of the Local Government Board, the officer shall not, unless his office is abolished, be removed from his office except by, or with the consent of, that Board. Tenure of
office.

6. This scheme may be cited as the London (Existing Officers) Scheme, 1900. Short title.

ORDER IN COUNCIL CONFIRMING "THE METROPOLITAN
BOROUGH (OFFICES) SCHEME, 1901."

1901. No. 663.

At the Court at St. James's, the 8th of August, 1901.

PRESENT:

The King's Most Excellent Majesty in Council.

Whereas Her late Majesty Queen Victoria was pleased, by Her Order in Council of the 14th day of July, 1899, to

* 59 & 60 Vict. c. 50.

appoint a committee of the Lords of the Council for the purposes of the London Government Act, 1899 :*

And whereas the Commissioners appointed by the committee of the Lords of the Council have prepared a scheme entitled :—

The Metropolitan Boroughs (Offices) Scheme, 1901 :

And whereas the provisions of the London Government Act, 1899, have been complied with, and the said scheme has been settled by the said committee :

And whereas no petition has been presented against the said scheme :

Now, therefore, His Majesty, having taken the said scheme, copy whereof is hereunto annexed, into consideration, is pleased, by and with the advice of his Privy Council, to confirm, and doth hereby confirm, the said scheme.

A. W. FitzRoy.

Scheme referred to in the foregoing Order.

THE METROPOLITAN BOROUGHES (OFFICES) SCHEME, 1901.

Whereas by Section 15 of the London Government Act, 1899 (in this scheme referred to as the Act), it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision amongst other things—

- (a) for any matters which under the Act are to be regulated by scheme ; and
- (b) for repealing or modifying any local Act other than the London Building Act, 1894† ; and
- (c) for carrying into effect any Order in Council made thereunder ;

and may contain any incidental, consequential, or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas by Section 24 of the London County Council General Powers Act, 1893 (which Act is a local Act), it is enacted that any vestry or district board constituted and acting under the Metropolis Management Act, 1855,‡ and the Acts amending the same, may erect any hall or other building to be used for the purposes of business or to be used partly for the purposes of business and partly for the purposes of public

56 & 57 Vict
c. ccxxi.

* 62 & 63 Vict. c. 14.

† 57 & 58 Vict. c. ccxiii.

‡ 18 & 19 Vict. c. 120.

meetings, assemblies, entertainments, libraries, and other like purposes, and they may adapt or alter any building now used by them for the purposes of a town hall or offices for use for any of the purposes aforesaid; and the expenses so incurred by them shall be deemed to be expenses incurred by them under and for the purposes of the said Acts, and may be raised and defrayed accordingly.

And whereas by or under the Act there have been transferred to or conferred or imposed on the councils of metropolitan boroughs, not only the powers and duties of such vestries and district boards as aforesaid, but also the powers and duties of Commissioners under the Adoptive Acts and various other powers and duties, including the power to acquire, purchase, or take on lease or exchange any lands, and to acquire, hire, erect, and furnish such halls, buildings, and offices as they may from time to time require, and by and under the Act there have been transferred to and conferred or imposed on certain committees and officers of the councils of metropolitan boroughs various powers and duties.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions herein-after set forth.

Now, therefore, pursuant to the Act and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order, and declare as follows:—

1. In the said Section 24 of the London County Council (General Powers) Act, 1893, the expression “business” shall include any business transacted or to be transacted by the council of a metropolitan borough and their committees and officers in the exercise or performance of any power or duty transferred to, or conferred or imposed on, the council or any of their committees and officers by or under the Act or otherwise, and whether as successors to any vestry or district board or otherwise; and the expenses of acquiring land for the purpose of the erection of, and the expenses of fitting and furnishing, such hall or other building as aforesaid may be raised and defrayed in the same manner as the expenses of the erection.

Modification
of 56 & 57
Vict. c. ccxxi.

Provided that the section shall not apply to offices forming part of a building provided or to be provided under any of the Adoptive Acts and used or intended to be used solely for the purposes of those Acts.

2. This scheme may be cited as the Metropolitan Boroughs (Offices) Scheme, 1901, and for the purpose of the interpretation of this scheme, the Interpretation Act, 1889,* applies, as it applies to an Act of Parliament.

Short title and
construction.

* 52 & 53 Vict. c. 63.

2. Poor.*

THE LONDON (POOR LAW AND VALUATION) SCHEME, 1900,
APPROVED BY ORDER IN COUNCIL OF AUGUST 7, 1900.

[This Order in Council is printed under the sub-heading
"Valuation" below.]

3. Valuation.†

FORMS PRESCRIBED BY THE TREASURY UNDER THE VALUA-
TION (METROPOLIS) ACT, 1869.

Return for the Assessment of Lands, Tenements, Heredita-
ments, and other Rateable Property in the Metropolis.
(32 and 33 Vict. c. 67.)

To the Occupier of

In conformity with the provisions contained in Sections
55 and 56 of the Valuation of Property (Metropolis) Act, 1869,
we hereby give you notice to make a return, for the purposes
of the said Act, of the several particulars required by the
within form, and to deliver such return to us at
within 21 days from the service of this notice.

Dated this day of , 1895.

Overseers for the said parish of

[If any person wilfully refuses or neglects to make any return required
under the Act, he shall be liable, on summary conviction, to a penalty of
five pounds; and if any person wilfully makes or causes to be made a false
return, he shall be liable to a penalty of ten pounds.—Section 58.]

No.

Schedule of Particulars to be rendered under the Act of 32 & 33 Vic. c. 67
by every Occupier of Rateable Property in the Metropolis.

1. Name of the parish in which the
property is situate.
Street or road, &c. - - -
Number of house - - -
If not numbered, name by
which known
Whether occupied with or
without stables, or other
premises, as part of the
same property.
The quantity of land (if
any) and how used.

* The General Orders of the Local Government Board under the Poor
Law Acts are printed under the title "Poor."

† The Orders relating to Appeals to Quarter Sessions under the Metro-
polis Valuation Act, 1869, are printed under the sub-title "Justices at
Quarter Sessions" at p. 1 above.

2. Full christian and surname of occupier.
3. Name and address of owner or immediate lessor.
If not known, name and address of the person to whom the rent is paid.
4. Whether the property is occupied as a private residence, or partly as a dwelling-house and partly as a shop, counting-house, warehouse, or manufactory, &c.
Or, as an hotel, inn, beer-house, coffee-house, or house for the sale of refreshment.
Or solely for trade or business purposes, with no person, other than a menial or domestic servant, or a person of similar grade employed as caretaker, residing on the premises for the protection thereof.
Number of rooms set apart for the use of the caretaker (if any) and on which floor.
5. If the occupation is in respect only of part of a house, or premises, state the extent, and on which floor or floors.
6. Whether the property is held under lease or agreement for a period of years.
Or by the year, quarter, month, or week.
7. Date of lease or agreement and whether granted for any consideration in money, in addition to the rent, or upon any condition as to laying out of money in improvements.
8. Amount of rent - - - £ per
9. If the occupier is the owner, or has purchased the lease, the annual value must be stated; *i.e.*, the sum for which the property is worth to be let by the year, the owner keeping it in repair. Annual value £
10. Amount of land tax (if any) - Land Tax £
Amount of tithe rent charge or Tithe rentcharge or }
of any rate or assessment in payment in lieu of } £
lieu of tithes paid in the year tithes. }
1894.
Amount of sewers rate - - Sewers rate £
s 31848.

11. Whether all or any of the above-named charges on the property are borne by the owner or by the occupier.
12. Whether all usual tenant's rates and taxes are paid, and borne by the occupier.
13. Whether the owner undertakes to bear the cost of repairs, insurance and other expenses necessary to maintain the property.

DECLARATION.

I hereby declare that the foregoing particulars are in every respect justly and truly stated according to the best of my knowledge and belief.

Dated this day of 1895.

Occupier.

Profession or Trade.

No. 9C. (Owners and Lessees).

Notice for Return for the Assessment of Rateable Property in the Metropolis for the year 189 , where the Owner or Lessee is liable to be Assessed in the Place of the Occupier or Tenant.

In pursuance of the Act 32 & 33 Vict. c. 67,* intituled an Act to provide for the Uniformity in the Assessment of Rateable Property in the Metropolis, and of the Act 47 Vict., c. 5,† amending the same by giving greater facilities for appeal to owners and lessees of houses paying rates and taxes in the place of the occupiers, you are hereby required to make return of the several particulars specified in the within form of the rateable property for which you are liable to be assessed for any rate or tax in the place of the occupier or tenant, or for which you do in fact pay any such rate or tax in his place under any contract or arrangement with him, and to deliver such return to the undersigned, or one of us, at within 21 days from the service of this notice.

Dated this day of . 189 .

Overseers of the Parish of .

* The Valuation (Metropolis) Act, 1869.

† The Valuation (Metropolis) Amendment Act, 1884.

RETURN BY OWNER* of the Rents, &c. of the under-mentioned Property under the Valuation (Metropolis) Act, 1869 and 1884.

Name of the Street, Square, Road, or Place.	No. of House.	Christian and Surnames (in full) of the Occupiers.	Whether occupied as Private House only. If House is let out in separate rooms, state Particulars of same, whether ground, first, second floor, or otherwise, together Name of Occupier.	Whether let under Lease, Agreement, or by Annual, Quarterly, or Weekly Tenancy.	Conditions of Tenancy. Date of Lease or Agree- ment, and whether granted on Payment of any, and what Premium or Consideration other than the Rent.	Amount of Rent.	State whether by Week, Month, or Year.	Whether all the usual Tenant's Rates and Taxes are paid by Owner, and the Amount paid by Owner in the preceding Year.
						£ s. d.		

* Interpretation of "Owner."—The word owner shall mean any person receiving or claiming the rent for his own use, or receiving the same for any landlord, or for the use of any person for whom he is acting as agent, 32 and 33 Vict. c. 41. s. 20. Section 9 of the same Act provides that every owner who is rated, or liable to be rated for any hereditament instead of the occupiers, shall deliver to the overseers from time to time, when required by them in writing, a list containing the names of the actual occupiers of the hereditaments, for which he is so rated or liable to be rated; and if any such owner willfully omits to deliver such list when required to do so, or willfully omits therein, or misstates therein the name of any occupier, he shall for every such omission or misstatement be liable, on summary conviction, to a penalty not exceeding two pounds.

I, the undersigned, being the owner, or agent for the owner, of the hereditaments included in the above list hereby declare that the said list contains the names of the actual occupiers of the several hereditaments in the parish of _____, in respect of which I have agreed to pay all rates (or in respect of which I am rated or liable to be rated instead of the occupier).

Date 189 .

Signature
Address
Profession or occupation.

THE LONDON (POOR LAW AND VALUATION) SCHEME, 1900.
APPROVED BY ORDER IN COUNCIL OF AUGUST 7, 1900.

1900. No. 605.

Whereas by various Orders in Council under the London Government Act, 1899* (in this scheme referred to as the Act), twenty-eight metropolitan boroughs are, as from the commencement of those Orders, established, and a council for each such borough is established and incorporated,† and, for the purpose of adjusting the boundaries of those boroughs and of giving effect to the provisions of the Act, various parts of existing parishes are by those Orders, and by certain other Orders in Council relating to detached parts of existing parishes, annexed to other parishes.‡

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Section 16 of this Act it is enacted that a scheme under the Act may make provision, amongst other things, for carrying into effect the Act or any Order in Council made thereunder, and may contain any incidental consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the scheme.

And whereas by each of the said Orders in Council it is provided that the Order shall, save as otherwise provided by a scheme under the Act, come into operation on the day on which the first election of borough councillors under the Act is held: Provided that if, with respect to any purpose or provision of the Act, the Lord President of the Council appoints some other day as the appointed day for that purpose or provision, the Order shall, so far as it relates to that purpose or provision, come into operation on the day so appointed.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions hereinafter set forth,

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order, and declare as follows:—

1.—(1.) In this Scheme unless the context otherwise requires—

The expression “Commissioners” means the Commissioners appointed by the said committee of the Privy Council.

Interpretation
and effect.

* 62 & 63 Vict. c. 14.

† See the 28 Orders in Council establishing the Metropolitan Boroughs and incorporating their Councils, registered and printed as Statutory Rules and Orders, 1900, Nos. 380–407, inclusive.

‡ For lists of these Orders see Classified List of Local Orders at end of the volume of Statutory Rules and Orders, 1899, p. 988.

The expression "Orders" means the said Orders in Council.

The expressions "overseers" and "overseer" include any person or body of persons performing the duties of overseers.

The expression "existing parish" means a parish as it exists immediately before the day on which the first election of borough councillors under the Act is held, and the expression "existing poor law union" means a poor law union as it exists before the twenty-sixth day of March One thousand nine hundred and one.

(2.) The Interpretation Act, 1899,* applies for the purpose of the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

Commencement of Orders for poor law purposes.

(3.) This scheme shall have effect subject to the provisions of any future scheme made under the Act.

2. Subject to the provisions of Section 11 of the Act, which relates to overseers and the collection of rates, the Orders shall, so far as they expressly or impliedly alter the area of any parish or poor law union, for the purpose of the enactments and provisions relating to the relief of the poor, and of all such other enactments and provisions as relate to the powers, duties, and expenses of boards of guardians, of the managers of the Metropolitan Asylum District, and of the managers of asylum and school districts, and for the purpose of assessing on poor law unions the sums to be contributed by them to the Metropolitan Common Poor Fund, come into operation on the twenty-sixth day of March One thousand nine hundred and one:—

Provided that, for the purpose of the election of guardians to be held next after the day on which the first election of borough councillors under the Act is held, and of all proceedings preliminary to that election, the Orders shall come into operation at such earlier date as may be necessary.

3.—(1.) For the purpose of making the valuation lists to come into force on the sixth day of April One thousand nine hundred and one correspond to the parishes as altered by the Orders, it shall be the duty of the assessment committees to make separate assessments of parts of hereditaments which will by virtue of the Orders be situate partly in one metropolitan borough and partly in another, and to furnish such particulars, and do such other Acts, as the Commissioners may by instructions issued under this scheme require; and the totals to be printed in accordance with Section 17 of the Valuation (Metropolis) Act, 1869, as amended by subsequent enactments, shall be the totals of the parishes as altered by the Orders.

Revision of new valuation lists.

* 52 & 53 Vict. c. 63.

(2.) The overseers of any existing parish shall, as respects such part of any valuation list as relates to hereditaments which will be comprised in the same metropolitan borough as that existing parish or the greater part thereof, be persons authorised to make any such objections as are specified in Section 11 of the Valuation (Metropolis) Act, 1869, in like manner as if they were authorised by that Act, and notice of any such objection by any such overseer may be given on or before the fifteenth day of July One thousand nine hundred, or on or before the seventh day after the confirmation of this scheme, whichever is the later.

32 & 33 Vict.
c. 67.

(3.) In lieu of the appeals which overseers may institute under the Valuation (Metropolis) Act, 1869, in relation to the said valuation lists, the council of a metropolitan borough may—

- (a) if the council feel aggrieved by any decision of an assessment committee on an objection made with respect to the unfairness or incorrectness of the valuation of any hereditament included in the borough, appeal to special sessions against that decision ;
- (b) if the council feel aggrieved by any decision of an assessment committee on an objection which relates to such part of any valuation list as will form part of the valuation list of any parish in the borough, and to which any overseer was a party, appeal to quarter sessions against that decision ;
- (c) if the council feel aggrieved by any decision of special sessions, appeal to quarter sessions against that decision.
- (d) if the council feel aggrieved by reason of—
 - (i) the total of the gross value of any parish being too high or too low ; or
 - (ii) the total of the rateable value of any parish being too high or too low ; or
 - (iii) there being no approved valuation list for some parish ; appeal to quarter sessions.

Notice of any such appeal may be given on or before such day after the day on which the first borough councillors elected under the Act come into office as the Lord President of the Council may determine.

(4.) If an appeal to quarter sessions by an assessment committee or a surveyor of taxes relates to an existing parish which is situate in more than one metropolitan borough, the notice of appeal required by Section 33 of the Valuation (Metropolis) Act, 1869, to be served on overseers shall be served on the council of each metropolitan borough in which any part of the existing parish is situate.

(5.) Subject to such of the provisions of the Orders as relate thereto, and to the provisions of this section, the pre-

paration and revision of the valuation lists to come in force on the sixth day of April One thousand nine hundred and one shall be proceeded with as if the Orders had not been made.

(6.) The members of every assessment committee in office on the day on which the first election of borough councillors under the Act is held shall continue in office till such time as they would have gone out of office had the Act not been passed notwithstanding that, in the case of committees appointed by vestries, they are not members of the council of any metropolitan borough, and until that time—

- (a) casual vacancies in an assessment committee shall be filled, if the committee was appointed by the vestry of an existing parish, by the council of the metropolitan borough in which that parish or the greater part thereof is situate, and if the committee was appointed by a board of guardians, by that board; and
- (b) the members of an assessment committee appointed by a borough council under Section 13 of the Act shall not come into office.

4.—(1.) Until the sixth day of April One thousand nine hundred and one, such portions of the valuation lists in force when the first election of borough councillors under the Act is held as relate to hereditaments in the area of any parish as altered by the Orders shall, subject to the provisions of this scheme, be the valuation list for the parish as so altered.

Existing
valuation lists.

(2.) Between the first and fifteenth day of October One thousand nine hundred, the clerk of every assessment committee in London and the clerks of the assessment committees of the Edmonton and Croydon Poor Law Unions, shall make certified copies of such parts of the valuation lists in force at the time (including the separate assessments of parts of hereditaments made as hereinafter mentioned) as relate to hereditaments situate in any area which is by the Orders or by any scheme severed from an existing parish, the valuation list for which is revised by the assessment committee, and annexed to any other parish, and shall send—

- (a) a copy to the London County Council;
- (b) a copy to the vestry of the parish from which the area is severed, and a copy to the overseers of that parish (unless the vestry perform the duties of overseers); and
- (c) a copy to the vestry of the parish to which the area is annexed, and a copy to the overseers of that parish (unless the vestry perform the duties of overseers);

and shall also make and send to the Local Government Board, the London School Board and to the Receiver of the Metropolitan Police District a summary of the total gross and

rateable values of the hereditaments in each such area, distinguishing in each case the parish to which the area is annexed.

(3.) If a hereditament assessed in the valuation list for any existing parish will after the commencement of the Orders be situate in more than one parish the overseers of that existing parish shall as soon as may be after the confirmation of this scheme send to the assessment committee a provisional list containing a separate assessment of each part which will be situate in a separate parish, and the like proceedings may be taken, and the list shall have the like effect as in the case of a provisional list under Section 47 of the Valuation (Metropolis) Act, 1869.

Provided that—

- (a) the total of the assessments of the various parts shall not exceed the assessment of the hereditament as appearing in the existing valuation list; and
- (b) the overseers in assessing any part shall, if possible, obtain the consent of the overseers of the parish in which that part will be situate to the assessment; and
- (c) an objection may be made to the assessment of any part by the overseers of the parish in which that part will be situate, unless those overseers have assented to the assessment; and
- (d) the provisional list shall have operation as from the day on which the first borough councillors elected under the Act came into office.

(4.) The clerk of each assessment committee shall be entitled to receive out of the Metropolitan Common Poor Fund for his services under this section such remuneration as the assessment committee, with the approval of the Local Government Board, may determine.

(5.) As soon as may be after the day on which the first election of borough councillors under the Act is held the clerk of the London County Council shall, after making the necessary additions and subtractions, cause the total of the gross and rateable values of all the hereditaments in each parish in London as altered by the Orders and of the rateable values of the agricultural land in each such parish to be printed, and a printed copy of all such totals to be sent to the assessment committee of the poor law union, and to the council of the metropolitan borough, in which the parish to which the total relates is situate, to the receiver of the Metropolitan Police District, to the Corporation of the City of London, to the London School Board, and to the Local Government Board. The council of every metropolitan borough and every assessment committee and ratepayer in London shall be entitled to have printed copies of the totals on payment of a penny for each copy of all such totals.

(6.) Nothing in this section shall affect the valuation list of any existing parish in respect of any purpose for which the Orders do not come into operation until the twenty-sixth day of March, One thousand nine hundred and one, before that date.

5. For the purpose of the qualification of a person to be elected or to be a guardian of any poor law union in London, residence before the commencement of the Orders during any part of the qualifying period in any place which will after that date be included in the union shall be treated as residence in the union.

Residential qualification of guardians.

6. Subject to the provisions of the London (South Hornsey) Scheme, 1900,* the persons who immediately before the commencement of the Orders are the guardians of any poor law union shall, after the commencement of the Orders, continue to be the guardians of that union, notwithstanding any alteration of the area of the union effected by the Orders.

Saving of existing guardians.

7.—(1.) Every person who at or before the commencement of the Orders has acquired a settlement in any existing parish affected by the Orders or by any scheme shall be treated as having acquired a settlement in the parish in the area of which as altered by the orders or scheme, the acts or circumstances conferring the settlement have been done or have occurred, or, if those acts or circumstances have been done or have occurred in more than one place, then in the parish in the area of which as altered by the Orders or scheme his last place of residence at the time of acquiring the settlement was.

Settlement and irremovability.

(2.) Any person who has acquired a status of irremovability from any existing poor law union affected by the Orders or by any scheme shall be treated as having acquired a status of irremovability from the poor law union in the area of which as altered by the Orders or scheme he resides at the commencement of the Orders or (if he is then in receipt of relief) from the poor law union in the area of which as altered by the Orders or scheme he was residing at the time of becoming chargeable.

(3.) For all purposes of settlement and removal, residence prior to the commencement of the Orders in any area which by the Orders or scheme is annexed to, or united with, another parish shall be treated as residence in the parish to which it is annexed, or with which it is united.

8.—(1.) Where by virtue of the Orders parts of any existing poor law union in London are annexed to other poor law unions in London, the amount of any expenses incurred by the guardians of the first-mentioned union before the twenty-sixth day of March One thousand nine hundred and one, and repayable out of the Metropolitan Poor Common Fund after that date, shall be divided into parts bearing the same proportion to one another as the rateable values of each of the areas so annexed and of the rest of the first-mentioned

Transitory provisions as to the metropolitan common poor fund.

* Statutory Rules and Orders, 1900, No. 625 (Local).

union bear to one another, and, for the purpose of repayments out of the said fund, the part proportionate to the rateable values of the area annexed to any union shall be treated as expenses of the guardians of that union, and the part proportionate to the rateable value of the rest of the first-mentioned union shall be treated as expenses of that union.

(2.) For the purposes of this section the rateable value of any annexed area shall be ascertained from the summaries sent to the Local Government Board pursuant to the provisions of Section 4 of this scheme, and the rateable value of the rest of the union shall be ascertained by deducting the rateable values of those annexed parts from the total rateable value of the union as appearing in the valuation lists from which the said summaries were compiled.

Short title.

9. This scheme may be cited as the London (Poor Law and Valuation) Scheme, 1900.

ORDER IN COUNCIL CONFIRMING "THE LONDON (VALUATION) SUPPLEMENTAL SCHEME, 1901."

1901. No. 209.

At the Court at St. James's, the 9th day of March, 1901.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas Her late Majesty Queen Victoria was pleased by Her Order in Council of the 14th day of July, 1899, to appoint a Committee of the Lords of the Council for the purposes of the London Government Act, 1899.*

And whereas the Commissioners appointed by the Committee of the Lords of the Council have prepared a scheme entitled :—

The London (Valuation) Supplemental Scheme, 1901.

And whereas the provisions of the London Government Act, 1899, have been complied with, and the said scheme has been settled by the said Committee.

And whereas no petition has been presented against the said scheme.

Now, therefore, His Majesty, having taken the said scheme, copy whereof is hereunto annexed, into consideration, is pleased, by and with the advice of His Privy Council, to confirm, and doth hereby confirm, the said scheme.

A. W. FitzRoy.

* 62 & 63 Vict. c. 14.

Schedule referred to in the foregoing Order.

THE LONDON (VALUATION) SUPPLEMENTAL SCHEME, 1901.

Whereas by Section 15 of the London Government Act, 1899 (in this scheme referred to as the Act), it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and that the committee may settle the schemes so prepared.

And whereas by Sub-section (3) of Section 4 of the London (Poor Law and Valuation) Scheme, 1900 * (which section relates to the valuation lists in force on the day on which the first borough councillors elected under the Act came into office), provision is made for making a separate assessment by means of provisional lists of each part of any hereditament which by virtue of any Order in Council under the Act is situated in a separate parish; and it is by that sub-section, amongst other things, provided that a provisional list made thereunder, shall have the like effect as in the case of a provisional list under Section 47 of the Valuation (Metropolis) Act, 1869,† and that the total assessment of the various parts shall not exceed the assessment of the hereditament as appearing in the existing valuation list.

And whereas doubts have arisen whether the provisional lists so made will affect the valuation lists to come into force on the sixth day of April, One thousand nine hundred and one.

And whereas by the said scheme it is also provided that the scheme shall have effect subject to the provisions of any future scheme made under the Act.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions herein-after set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order, and declare as follows:—

1. It is hereby declared that a provisional list made under Sub-section (3) of Section 4 of the London (Poor Law and Valuation) Scheme, 1900, shall not continue in force after the fifth day of April, One thousand nine hundred and one, and notwithstanding anything in that sub-section or in any provisional list made thereunder, the total assessments, made in accordance with Sub-section (1) of Section 3 of that scheme, of the parts of any hereditaments which, by virtue of any Order in Council, is situate partly in one metropolitan borough and partly in another, and may exceed or be less than the assessment of the undivided hereditament as appearing in the valuation list which was in force on the day on which the first borough councillors elected under the Act came into office.

2. This scheme may be cited as the London (Valuation) Supplemental Scheme, 1901.

Explanation
of s. 4 (3) of
the London
(Poor Law
and Valua-
tion) Scheme
1900.

Short title.

* Printed at p. 148, above.

† 32 & 33 Vict. c. 67.

ORDER IN COUNCIL CONFIRMING "THE LONDON (ASSESSMENT COMMITTEES) SCHEME, 1902."

1902. No. 210.

At the Court at St. James's, the 6th day of March, 1902.

Present :

The King's Most Excellent Majesty in Council.

Whereas Her late Majesty Queen Victoria was pleased by Her Order in Council of the 14th day of July, 1899, to appoint a Committee of the Lords of the Council for the purposes of the London Government Act, 1899 : *

And whereas the Commissioners appointed by the Committee of the Lords of the Council have prepared a scheme entitled :—

"The London (Assessment Committees) Scheme, 1902" :

And whereas the provisions of the London Government Act, 1899, have been complied with, and the said scheme has been settled by the said Committee :

And whereas no petition has been presented against the said scheme :

Now, therefore, His Majesty, having taken the said scheme, copy whereof is hereunto annexed, into consideration, is pleased, by and with the advice of His Privy Council, to confirm, and doth hereby confirm, the said scheme.

A. W. FitzRoy.

Scheme referred to in the foregoing Order.

THE LONDON (ASSESSMENT COMMITTEES) SCHEME, 1902.

Whereas by various Orders in Council under the London Government Act, 1899 * (in this scheme referred to as the Act), twenty-eight metropolitan boroughs have been established, and a council for each such borough has been established and incorporated.†

And whereas by Section 15 of the Act it is enacted that it shall be lawful for Her Majesty in Council to refer to a committee of the Privy Council the appointment of Commissioners to prepare such schemes as are required for carrying the Act into effect, and the committee may settle the schemes so prepared.

And whereas by Section 16 of the Act it is enacted that a scheme under the Act may make provision, amongst other things, for carrying into effect the Act or any Order in Council made thereunder, and may contain any incidental,

* 62 & 63 Vict. c. 14.

† See the 28 Orders in Council establishing the Metropolitan Boroughs and incorporating their Councils, registered and printed as Statutory Rules and Orders, 1900, Nos. 380–407, inclusive.

consequential, or supplemental provisions, which may appear to be necessary or proper for the purposes of the scheme.

And whereas by Section 13 of the Act it is enacted that where the whole of a Poor Law Union is within one borough, the assessment committee shall, notwithstanding anything in Section 5 of the Valuation (Metropolis) Act, 1869, be appointed by the borough council instead of by the board of guardians, and where the borough comprises the whole of two or more unions, the council shall appoint only one assessment committee for those unions, and where the council appoint the assessment committee the town clerk shall act as the clerk to that committee.

And whereas by Section 10 of the Act it is enacted that where any of the Adoptive Acts, or any local or other Act, does not extend to the whole borough, any rate required to meet the expenses incurred under the Act shall, subject to the provisions of any scheme under the Act, be levied together with, and as an additional item of, the general rate over the area to which the Act extends.

And whereas it is necessary, for the purpose of carrying the Act into effect, that such adaptations in the Valuation (Metropolis) Act, 1869,* and the enactments incorporated with or amending that Act, should be made as herein-after contained.

And whereas the Commissioners appointed by the said committee of the Privy Council have prepared a scheme containing the provisions herein-after set forth.

Now, therefore, pursuant to the Act, and every other power enabling them in that behalf, the said committee have settled a scheme containing the provisions herein, and do hereby direct, order and declare as follows :—

1.—(1.) Subject to the provisions of this scheme, in cases where before the passing of the Act an assessment committee was appointed by a board of guardians and by virtue of the Act the committee is appointed by the council of a metropolitan borough, all the provisions of the Valuation (Metropolis) Act, 1869,* and the enactments incorporated therewith or amending the same, shall be construed, so far as is consistent with the tenor thereof, as if references to the borough, council, members of the council, town clerk, and general rate, were substituted for references to the union, board of guardians, guardians, clerk and assistant clerk of the board of guardians, and common fund.

Adaptation of
Valuation
Acts.

(2.) The assessment committee so appointed by the council of a metropolitan borough shall be entitled to have, and shall have, in their possession and under their control any valuation lists, notices of objection, returns, and other documents which were in the possession or under the control of the assessment committee appointed by the board of guardians.

* 32 & 33 Vict. c. 67.

Provided that any officer authorised by the board of guardians in that behalf shall have the same right of inspecting and taking copies of, and extracts from, any of those documents without payment as a Surveyor of Taxes has under Section 69 of the Valuation (Metropolis) Act, 1869, and that section shall apply accordingly.

Expenses of assessment committee appointed by borough council for part of borough.

2. Where the council of a metropolitan borough, as successors either of a board of guardians or of a vestry, appoint an assessment committee which acts for part only of the borough, and an assessment committee appointed by a board of guardians acts for other parts of the borough, the expenses of the committee appointed by the borough council shall be defrayed by the council out of a rate levied together with, and as part of, the general rate of the parishes for which that committee acts.

Short title and construction

3. This scheme may be cited as the London (Assessment Committees) Scheme, 1902, and the Interpretation Act, 1889,* applies for the purpose of the interpretation of this scheme as it applies to an Act of Parliament.

* 52 & 53 Vict. c. 63.

LONDON, PORT.

Port Sanitary Authority.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED MARCH 25, 1892, ASSIGNING CERTAIN POWERS TO THE PORT SANITARY AUTHORITY OF LONDON.

To the Mayor, Commonalty, and Citizens of the City of London, being the Port Sanitary Authority of the Port of London ;—

And to all others whom it may concern.

Whereas by an Order dated the 20th day of March, 1884, we, the Local Government Board, in pursuance of Section 8 of the Diseases Prevention (Metropolis) Act, 1883,* assigned to the port sanitary authority of the port of London certain powers, rights, duties, capacities, liabilities, and obligations of an urban sanitary authority under the Public Health Act, 1875 ;†

And whereas by Section 142 of the Public Health (London) Act, 1891,‡ the said Diseases Prevention (Metropolis) Act, 1883,* was repealed as from the 1st day of January, 1892, subject, however, to the proviso contained in such section in regard to securities given under and orders, byelaws, rules, regulations, and notices duly made or issued under or having effect in pursuance of the Act so repealed :

And whereas by Section 112 of the Public Health (London) Act, 1891,‡ it is enacted that the Local Government Board may by order assign to the port sanitary authority of the port of London any powers, rights, duties, capacities, liabilities, or obligations of a sanitary authority under that Act, or of a sanitary authority under the Public Health Act, 1875,§ and any Act extending or amending the same respectively, with such modifications and additions (if any) as may appear to the Board to be required :

Now, therefore, we, the Local Government Board, in pursuance of the powers given to us in that behalf, hereby order and provide as follows :—

Article 1.—On and after the thirty-first day of March, One thousand eight hundred and ninety-two, the above-cited Order, dated the twentieth day of March, One thousand eight hundred and eighty-four, shall be rescinded.

Article 2.—We hereby assign to the said mayor, commonalty, and citizens, as the port sanitary authority aforesaid, on and after the said thirty-first day of March, One

* 46 & 47 Vict. c. 35.

† 54 & 55 Vict. c. 76.

‡ 38 & 39 Vict. c. 55.

§ 38 & 39 Vict. c. 55.

thousand eight hundred and ninety-two, and until we by Order otherwise direct, all the powers, rights, duties, capacities, liabilities, or obligations of a sanitary authority under the said Public Health (London) Act, 1891,* created by or arising out of the following sections of that Act, or of the specified parts of those sections, and exerciseable by or attaching to sanitary authorities, so far as those several sections or such parts thereof are applicable to a port sanitary authority, and to ships, vessels, boats, waters, or persons within their jurisdiction; namely,—

- Section 2 (except paragraph (f) of Sub-section 1) and Sections 3 to 15, both inclusive, relating to nuisances;
- Section 21, relating to nuisances arising from offensive trades;
- Section 24, relating to nuisances caused by smoke;
- Section 25, relating to limewashing and washing of workshops;
- Section 35, relating to removal of filth;
- Sections 40, 41, 42, Section 43 (Sub-sections (1) and (2)), and Section 46, relating to regulations as to water-closets, &c.;
- Section 47, relating to unsound food;
- Section 48 (Sub-section (1)), and Sections 50, 53, and 54, containing certain provisions as to water;
- Section 55, 56, and 57, relating to notification of infectious diseases;
- Sections 58 to 62, both inclusive, and Sections 65 to 74, both inclusive, relating to prevention of infectious diseases;
- Sections 75, 76, 78, and 80, relating to hospitals and ambulances;
- Section 89, relating to the removal of dead bodies to mortuaries;
- Section 95, relating to tents and vans;
- Section 99 (Sub-sections (4) and (5)), relating to powers of committee appointed for purposes of the Act, and to the acquisition of land;
- Sections 106 (Sub-sections (1) and (4)), and Sections 107 and 109, relating to medical officers of health and inspectors of nuisances; †
- Section 113, relating to the extension to London of certain sections of the Public Health Acts;
- Section 114, relating to byelaws;
- Section 115 to 124, both inclusive, relating to legal proceedings;
- Section 125, relating to appeals to quarter sessions;
- Sections 127 and 128, relating to notices;
- Section 130, relating to forms; and
- Section 138, being a saving clause.

* 54 & 55 Vict. c. 76.

† As to these Officers see "The Sanitary Officers (London) Order, 1891," printed under the title "London County."

Article 3.—For the purposes of the aforesaid sections and parts of sections, any vessel lying within the district of the said port sanitary authority shall be subject to the jurisdiction of the said authority as if it were a house, and the master of any such vessel shall, for such purposes, be deemed to be the occupier of such vessel; provided that this article shall not apply to any vessel under the command or charge of any officer bearing Her Majesty's Commission, or to any vessel belonging to any foreign Government.

Given under the seal of office of the Local Government Board, this twenty-fifth day of March, in the year One thousand eight hundred and ninety-two.



L. S.

Chas. T. Ritchie,

President.

S. B. Provis.

Assistant Secretary.

LUNATIC, ENGLAND.

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| 1. <i>Rules in Lunacy</i> , p. 1. | 4. <i>Care and treatment</i> , p. 35. |
| 2. <i>Masters in Lunacy and Chancery Visitors</i> , p. 32. | 5. <i>Institutions for Lunatics</i> , p. 37. |
| 3. <i>Jurisdiction of County Court Judges and Magistrates</i> , p. 33. | 6. <i>Criminal Lunatics</i> , p. 78. |

Rules in Lunacy.

"THE RULES IN LUNACY, 1892," DATED FEBRUARY 6TH, 1892, AS AMENDED BY RULES DATED JUNE 15, 1893* AND OCTOBER 29, 1900.†

Preliminary.

1. These rules may be cited as "The Rules in Lunacy, 1892." Short title.
2. These rules may come into operation on the first of March, 1892, and as from that date the Rules in Lunacy, 1890,‡ and the Orders in Lunacy of the 5th March, 1891,§ and of August, 1891,|| shall be annulled. Commence-
ment of Rules.
3. Pending proceedings shall be carried on according to the provisions of these rules, so far as possible, and subject thereto according to the practice heretofore subsisting, and in case of doubt as to the mode of procedure, in such of those modes as the masters direct. The provisions of these rules shall be subject to variation by special order in any case, and shall apply only where no express directions are given by any special order concerning any of the matters provided for in these rules, or so far as such directions do not extend. In all matters not provided for by these rules, the mode of procedure heretofore in force shall continue to be followed. Pending pro-
ceedings.
4. Where in any order the time for doing any act or taking any proceeding is limited by months, and where the word "month" occurs in any document which is part of any legal procedure under these rules, such time shall be computed by calendar months unless otherwise expressed. Month means
calendar
month.
5. Where any limited time, less than six days from or after any date or event, is appointed or allowed by these rules or any order for doing any act or taking any proceeding, Sunday, Exclusion of
Sundays, &c.

* Printed at p. 29 below.

† Printed in "Statutory Rules and Orders, 1900," p. 413.‡

‡ Printed in "Statutory Rules and Orders, 1890," pp. 768-94.

§ Printed in "Statutory Rules and Orders, 1891," p. 478.

|| Printed in "Statutory Rules and Orders, 1891," pp. 478, 479.

Christmas Day, and Good Friday shall not be reckoned in the computation of such limited time.

Time expiring
on Sunday or
close day.

6. Where the time for doing any act or taking any proceeding under these rules or any order expires on a Sunday or other day, on which the offices are closed, and by reason thereof such act or proceeding cannot be done or taken on that day, such act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken, if done or taken on the day on which the offices shall next be open.

Number of
days how
computed.

7. In any case, in which any particular number of days, not expressed to be clear days, is prescribed by these rules or any Order, the same shall be reckoned exclusively of the first day, and inclusively of the last day.

Power to
enlarge or
abridge time.

8. The judge in lunacy (in these rules called the judge) and the masters may enlarge or abridge the time appointed by these rules or fixed by any Order enlarging time, for doing any act or taking any proceeding, upon such terms (if any) as the justice of the case requires, and any such enlargement may be ordered, although the application for the same is not made until after the expiration of the time appointed allowed.

Forms.

9. The forms in the schedule may be used in the cases in which they are applicable, with such variations as the circumstances require.

The Masters.

Masters to
make orders.

10. The masters may make orders as regards administration and management, and they may direct by whom and in what manner the costs of any proceedings are to be paid.

Appeal from
orders of
masters.
Forms 2, 3.

11. Any person affected by any Order, decision, or certificate of a master may appeal therefrom to the judge without a fresh summons, upon giving notice of appeal within eight days from the date of the Order, decision, or certificate complained of, or such further time as may be allowed by the judge or master. The notice of appeal shall be given to the persons, if any, interested in supporting the Order, decision, or certificate, and a copy thereof shall, within the aforesaid period of eight days, be left at the master's office, and the masters shall thereupon bring the matter before the judge.

Masters to
communicate
with and
attend the
Judge.

12. The masters may communicate personally with the judge, with regard to any matter pending before them, when any point appearing to them to be novel or difficult arises, and they shall, when requested by the judge so to do, attend to give any information or assistance he may require.

Attendance in
Court.

13. Such one of the masters or their clerks as the masters, with the concurrence of the Lord Chancellor, direct shall at-

tend in court upon the hearing of any application, and shall take a note of the Order made by the Court.

14*.

15. Wherever the masters are referred to in these rules, they shall be deemed to be referred to jointly and severally, and everything to be done by or before the masters may be done by or before them or either of them, but all applications relating to the same person or his property, shall, so far as convenient, be dealt with by the same master.

Masters may act jointly and severally.

16. Applications for an order for inquisition, except in cases under Section 100 of the Lunacy Act 1890,† shall be made by petition. The petition shall be signed by the petitioner and attested by a solicitor.

Application for order for inquisition. Form 4.

17‡.—(a) Applications for a traverse and for a supersedeas shall be made by petition.

Application for traverse and supersedeas and for vesting orders.

(b) Applications under that portion of the Lunacy Act 1890, which relates to "vesting orders" shall be made by summons, unless the judge in lunacy or a master directs a petition to be presented.

18. Every petition for an order for inquisition, for a traverse, and for a supersedeas, and the evidence in support thereof shall be filed in the master's office, and shall be brought before the judge without previous consideration by the masters.

Petitions for inquisition, traverse, and supersedeas, to be brought before Judge.

19. All other applications under the Lunacy Acts 1890 and 1891,§ or under those Acts and also in the Chancery Division, shall, unless the judge or masters shall in any particular case otherwise direct, be made by summons at chambers before the masters.

Other applications to be by summons.

20. In all cases, in which the judge has, under the Lands Clauses Acts, the Settled Estates Act, 1877,|| the Settled Land Acts 1882 to 1890,¶ or any other enactment, jurisdiction to make an order upon petition affecting the property of a lunatic, the application for the order shall, unless the judge or master in any particular case otherwise directs, be made by summons at chambers before the masters.

Applications under Lands Clauses Acts, Settled Estates Acts, Settled Land Acts, and other Acts.

21. In any case in which the application is not by these rules or by the judge or masters directed to be made by petition, a petition is presented without the direction of the judge or masters, no further costs shall be allowed, than would be allowed upon a summons.

Costs of petitions not to be allowed.

* Rule 14 was repealed by the Rules of 1893.

† 53 & 54 Vict. c. 5.

‡ The new rule 17 was substituted for the previous rule 17 by the rules of 1900.

§ 53 & 54 Vict. c. 5; 54 & 55 Vict. c. 65. || 40 & 41 Vict. c. 18.

¶ 45 & 46 Vict. c. 38; 47 & 48 Vict. c. 18; 50 & 51 Vict. c. 30 52 & 53; Vict. c. 36; 53 & 54 Vict. c. 69.

In matters not relating to administration and management masters to prepare minutes of order for the Judge.

22. All applications, except those by these rules directed to be brought before the judge without previous consideration by the masters, shall be considered by the masters, and, if the application does not relate to administration and management, the masters shall prepare the minutes of such order, if any, as they think should be made, and shall bring the application with the evidence and the minutes of the proposed order before the judge.

Matters to be brought before Judge out of Court.

23. All matters which require to be brought before the judge, shall be brought before him out of court. The judge may make an order upon any summons or petition without attendance of counsel, solicitors, or parties, or after such attendance, or may adjourn the summons or petition into court, or refer the same to the masters for inquiry, or further inquiry, upon any matter. Any matter may be adjourned from court for consideration by the judge out of court.

Power to order or dispense with service.

24. The judge and masters respectively may direct any person to be served with notice of any application, and may dispense with service on any person.

Only one summons to be issued on the same application.

25. Every application by summons to be brought before the judge shall be brought before him upon the original summons, and until the application is finally disposed of, it shall not be necessary to issue any further summons upon any appointment. Where an application by summons is directed to be served on any party, it shall not be necessary to issue a fresh summons, but the original summons may be served with such amendments (if any) as the circumstances require.

The Inquisition.

Notice of petition for inquisition. Form 5.

26. The notice to an alleged lunatic of a petition for an order for inquisition shall be by service on him of a copy of the petition with a notice thereon endorsed signed by the petitioner or a solicitor. Such notice shall be in the Form 5 in the schedule, or to that effect.

Notice of report of Commissioners.

27. The notice to an alleged lunatic of a report of the Commissioners under Section 100 of the Lunacy Act, 1890,* shall be in the Form 6 in the schedule, or to that effect.

Order not to be made until seven days after notice.

28. No order shall be made upon any such petition or report until after the expiration of seven clear days from service upon the alleged lunatic of notice of the petition or report.

Service of notice.

29. Such notice shall be served on the alleged lunatic by being delivered to him personally, or where personal service cannot be effected or is inexpedient, then by being delivered to some adult inmate at the dwelling-house or usual or last

known place of abode of the alleged lunatic within the jurisdiction, and an affidavit of service, stating particularly the time, place, and mode of service, and where there has not been personal service, the grounds of such service not having been made, shall be filed with the masters.

30. An alleged lunatic may either by notice filed with the masters at any time before the consideration of the petition or report, or by himself, his counsel or solicitor upon such consideration, demand an inquisition before a jury. A notice demanding a jury shall be signed by the alleged lunatic and attested by a solicitor.

How demand of a jury to be made.
Form 7.

Proceedings after Inquisition.

31. Subject to the provisions of these Rules as to inquiries respecting the next-of-kin and heir at law of a lunatic, the party having the conduct of the proceedings shall, immediately after inquisition found, take out a summons to inquire into the matters following:—

Summons for inquiries after inquisition found.

- (a) The lunatic's age, position in life, and residence.
- (b) The nature of his lunacy.
- (c) Who are his next-of-kin and heir at law.
- (d) Who ought to be appointed committee of his person and of his estate.
- (e) Of what his property consists, and the particulars thereof.
- (f) The amount of his income.
- (g) In what manner, and at what expense, and by whom, and where, he has been maintained; what should be allowed for his past maintenance, what, if anything, is due, and to whom, in respect thereof, and to whom and out of what fund the same ought to be paid.
- (h) What should be allowed for future maintenance, when the allowance ought to commence, and out of what fund it should be paid.

32. The masters may make such order on the summons in the last preceding rule mentioned as they think expedient.

Masters' order.

33. The masters may, when it seems to them expedient, inquire what undisputed debts (if any) are due from the lunatic and to whom and whether the same or any of them ought to be paid and out of what property, and they may make orders for the settlement or payment thereof and for the compromise of any disputed claim against the lunatic or his estate.

Inquiries as to debts.

34. The masters may make such inquiries as they think fit respecting any dealings with the lunatic's estate and the application of the same prior to the date of the inquisition, and respecting the state and condition of the lunatic at the time of such dealings, whether a summons for any such inquiry is pending before them or not.

Inquiries as to dealings with lunatic's estate before inquisition.

Inquiries as to property of lunatic out of jurisdiction.

35. The masters may inquire whether any person resident out of the jurisdiction has by the law of the place where such person resides been found or declared a lunatic, and whether his estate or any part thereof has been vested in a curator or other person appointed for the management thereof according to such law, and whether or not any property within the jurisdiction is vested in the lunatic, and what is his interest therein.

No inquiry as to next-of-kin and heir if fees not payable.

36. Where an order is made exempting the property of a lunatic from payment of fees, the masters shall not, during the continuance of the exemption, inquire respecting his next-of-kin and heir at law, unless they think it expedient.

Masters may defer and limit and dispense with inquiry as to next-of-kin and heir.

37. The masters may in any case defer an inquiry respecting next-of-kin and heir at law, or carry on the inquiry to such limited extent only and under such restrictions as they think expedient, and they may direct that persons claiming to be next-of-kin or heir at law be left to make out their claim at their own expense, and may in any case, if they think it expedient, wholly dispense with the inquiry.

Strict proof of pedigree may be dispensed with.

38. Where the masters are of opinion, that it is expedient that strict proof of pedigree should not be gone into, they may dispense with the same to such extent and in such manner as they think fit, and may require and receive such evidence as they think sufficient respecting the family and next-of-kin or heir at law.

Power to dispense with or disallow attendance of heir or next-of-kin.

39. The masters may dispense with and disallow the attendance on the proceedings of the heir at law or of all or any of the next-of-kin, either wholly or except at their own expense, or except upon special leave first obtained, and such notice only attending the proceedings shall be given as the masters shall direct.

Masters to determine who is to attend the proceedings.

40. Subject to the provisions of these rules, the masters shall once in the matter of each lunatic so found by inquisition, and may as often as they think it expedient, determine which, if any, of the next-of-kin, and what other persons, if any, are to attend the proceedings or any particular proceeding, and only those persons (if any), to whom the masters have given leave to attend, shall be entitled to notice of or be allowed to attend on any proceeding at the cost of the estate, except by special leave first obtained.

Power to appoint guardian of infant.

41. Where an infant being one of the next-of-kin, has no guardian, the masters may appoint a proper person to be his guardian for the purposes of the lunacy, and the person so appointed shall have the same powers, authorities, and discretion as a guardian ad litem appointed by the Chancery Division of the High Court. The masters may revoke any such appointment and appoint another person to be guardian.

42. The masters, if it seems to them expedient, may consolidate and carry on together similar proceedings before them in the matters of several persons being members of the same family, and may in any case use in the matter of one member of a family evidence filed in the matter of any other member of the same family.

Power to consolidate matters and to use evidence in other matters.

43. The masters may direct, that several parties, appearing before them by different solicitors, shall appear by the same solicitor, or that several parties, appearing before them by the same solicitor, shall appear by different solicitors. Where parties, directed to appear by the same solicitor, cannot agree upon the solicitor to represent them, the master may nominate the solicitor; and if any of such parties insists upon appearing by a different solicitor he shall do so at his own cost.

Power to determine what solicitors are to represent the parties.

44. The masters may receive any deed or security belonging to a lunatic, and may by order or certificate give liberty for payment or transfer into court of any money or stock belonging to a lunatic.

Power to receive deeds and direct lodgment of securities.

45. Any person, in whose custody or control any testamentary paper of the lunatic is, shall be at liberty to deposit the same in the office of the masters upon oath, as they may direct, there to remain for safe custody.

Liberty to deposit will of lunatic with masters.

46. On the death of a lunatic or a supersedeas being issued, the masters may make an order for payment, transfer, or delivery of any funds in court belonging to the lunatic or any documents or effects relating to or forming part of his estate, deposited in their office for safe custody, to the person entitled thereto.

On death of lunatic funds in Court and effects deposited with masters to be paid and delivered.

47. The masters may, on being satisfied of a lunatic's death, open and read any document deposited with them purporting or alleged to contain any testamentary disposition made by him, for the purpose of ascertaining, who is therein nominated executor thereof, and whether any direction is contained therein concerning his funeral or place of interment, and may deliver the document to the proper officer of the Probate Division to be dealt with according to law.

On death of lunatic masters may open will.

Applications as to Property of Persons of Unsound Mind not so found by Inquisition.

48. In the case of applications respecting the property of any person of unsound mind not so found by inquisition, seven clear days' notice of the application shall be given to such person by service on him of a copy of the summons with a notice indorsed thereon signed by the applicant or a solicitor. Such notice shall be in the Form 8 in the schedule, or that effect, and shall be served in the manner, in which under these rules notice of a petition for an order for inquisition is to be served. The summons shall be returnable not less than seven clear days from its date.

Notice of applications as to property of person of unsound mind not so found by inquisition. Form 8.

Affidavit of service to be filed.

49. An affidavit of service stating particularly the time, place, and mode of service, and, where there has not been personal service, the grounds of such service not having been made, shall be filed with the masters.

Notice of objection.
Form 9.

50. The person so served may file a notice of objection to the application.

Power to dispense with notice.

51. The masters may, if they think fit, dispense with notice to such person of any application after the first.

Masters may visit persons to whom any application relates.

52. For the purpose of any application before the masters relating to the property of a person not found lunatic by inquisition, the masters may, if they think fit, visit such person or require him to be produced before them as they direct.

Notice of application to next-of-kin or others.

53. The masters may, if they deem it is expedient, direct, that notice of the application be given to any of the next-of-kin of the person, to whom the application relates, or to any other person, and only such persons as the masters direct to be served with notice shall be entitled to attend before them.

Temporary provision for maintenance.

54. In any case, where, pending the appointment of a person to exercise in relation to the property of a person of unsound mind not so found by inquisition any of the powers of a committee of the estate, it appears to the masters desirable, that temporary provision should be made for the expenses of the maintenance, or other necessary purposes or requirements of the lunatic, or any member of his family, out of any cash or available securities belonging to him in the hands of his bankers or of any other person, the masters shall be at liberty by certificate to authorise such banker or other person to pay to the person to be named in such certificate such sum as they certify to be proper, and may by such certificate give any directions as to the proper application thereof by that person, who shall be accountable for the same as the masters direct.

Provisions as to lunatics so found by inquisition to apply.

55. In all cases not otherwise herein specially provided for, the provisions of these rules relating to lunatics so found by inquisition and the other general provisions of these rules shall apply to applications relating to the property of persons of unsound mind not so found by inquisition. . . . *

Applications as to Persons mentioned in s. 116 (1)(d.) of Lunacy Act, 1890, not being lunatic.

Applications as to persons incapable through disease or age of managing their affairs.
Forms 10, 11.

56. The provisions of these rules as to persons of unsound mind not so found by inquisition shall apply to applications respecting the property of any person who though not a lunatic is through mental infirmity arising from disease or age incapable of managing his affairs.

* The remainder of this rule was repealed by the rules of 1893.

Vesting Orders.

57. Applications under that portion of the Lunacy Act, 1890,* which relates to "vesting orders" may be made—
- Application for the appointment of new trustees or for vesting orders.
- (a) Where the application is for the appointment of new trustees, or relates to property subject to a trust, by any person beneficially interested in the property, whether under disability or not, or by any duly appointed trustee thereof.
- (b) Where the application relates to any property subject to a mortgage, by any person beneficially interested in the equity of redemption or in the mortgage money whether under disability or not.
58. The application shall be intituled in the matter of the trust or mortgage, and of the particular lunacy, and in the matter of the Lunacy Act, 1890.*
- Title of application. Form 1 (f).
59. The applicant shall serve any such application upon the person or persons, who, according to the practice of the Chancery Division of the High Court, would be required or entitled to be served in similar cases.
- Persons to be served.

Orders.

60. The masters shall be provided with an official stamp or seal for the authentication of orders, *certificates*,† and other documents, and of amendments therein.
- Masters to have an official seal.
61. Orders made under the Lunacy Acts, 1890 and 1891,‡ shall be drawn up by the masters and shall be entered *by them* † in a proper book to be provided for that purpose.
- Orders to be entered by masters.
- 62-65†.
66. In Orders, *certificates*† and other documents issued from or brought into the office of the masters, numbers shall be denoted by figures, and not by words.
- Numbers to be denoted by figures.
67. The masters may, if they think fit, direct that any money, securities, or effects in court shall not be paid or transferred out without notice to such person as occasion requires and they direct.
- Notice of dealings with funds in Court.
68. Clerical mistakes in orders and [other documents],§ or errors arising therein from any accidental slip or omission, may at any time be corrected by the judge, or by a master.
- Clerical mistakes and accidental omissions.

* 53 & 54 Vict. c. 5.

† The words in *italics* and rules 62-65 were repealed by the rules of 1893.

‡ 53 & 54 Vict. c. 5; and 54 & 55 Vict. c. 65.

§ The words in brackets were substituted for the word *certificate* by the rules of 1893.

Committee of the Estate and Person.

Custody of estate or person may be continued to surviving or continuing committees.

69. Where it appears, that several persons ought to be appointed committees of the estate or person, and that it is expedient, that one or more of such persons should continue to act after the death or discharge of the others or other of them, the order appointing the committee may direct that the custody of the estate or person shall continue to the surviving or continuing committees or committee.

Masters to approve security.

70. The masters shall approve the security to be given by the committee of the estate. Such security may be reduced on request to an amount corresponding in the judgment of the masters with the condition of the property of the lunatic and the income thereof, The masters may also require the security of the committee of the estate to be increased, if in their judgment the circumstances of the case render it desirable.

Money or stock may be brought into Court as security.

71. The masters may authorise the committee of the estate to give security in the whole or in part by bringing into court a sufficient sum of money or stock, and they may for that purpose by order give liberty for payment or transfer into court of any money or stock, and direct how the money is to be invested and the dividends applied, and the Paymaster-General shall give effect to every such order.

Upon fresh security being given previous security discharged.

72. Where a committee enters into a fresh security, upon the same being duly perfected, and upon the balance then due by the committee being paid or secured to the satisfaction of the masters, the former security shall be discharged.

Committee of estate to pass accounts.

73. The committee of the estate shall annually, or at such longer or shorter periods as the masters fix, deliver his accounts or affidavit in lieu of accounts into the master's office, and attend before the masters at or within such time as the masters fix, and have his accounts taken and passed, and the masters shall make to him all just allowances, including an allowance of his reasonable and proper costs, charges, and expenses of passing the account, and those of the next-of-kin, and other persons (if any) allowed to attend on the passing of the account, at the cost of the estate.

Masters to keep a register of committees and receivers.

74. The masters shall keep a book or books, in which shall be made, in respect of every committee, receiver, or other person liable to account, entries showing in a tabular form the following particulars, that is to say :—

- (1.) The title of the matter.
- (2.) The names of the committees, receivers, or other persons liable to account.
- (3.) The date fixed for the delivery of accounts or of affidavits in lieu of accounts.
- (4.) The date in each successive year when the accounts or affidavits are delivered into the masters' office.

- (5.) The date in each successive year when the accounts are passed.
- (6.) The balance or sum, if any, in each successive year directed to be paid into court by the committee, receiver, or other person liable to account.
- (7.) The date fixed for the last-mentioned payment.
- (8.) The date of the actual payment into court.
- (9.) The dates of all orders made in the particular matter, and also such other particulars as the Lord Chancellor may from time to time by writing direct.

75. The committee of the estate shall, on each occasion of passing his account, and also whenever the masters so require, satisfy the masters that his sureties are living, and that neither of them has been adjudicated bankrupt or compounded with his creditors, and in default thereof the masters shall require him to enter into fresh security within such time as they fix.

Committee to satisfy masters that sureties are living and solvent.

76. The balances certified by the masters to be due from the committee of the estate on passing his accounts, or so much thereof respectively as the masters certify to be proper to be paid by him, shall, unless the masters otherwise direct, be paid by him, at or within such time as the masters fix, into court to the credit of the matter, and the same, when paid in, and any sum of cash in court to which the lunatic is entitled, or so much thereof respectively as the masters by their certificate direct, shall, unless the masters otherwise direct, within such time (if any) as the masters fix, be laid out in the purchase of such securities for the time being authorised for the investment of cash under the control of the High Court, as the masters direct, and the dividends on the securities so purchased and all accumulations of dividend shall, unless the masters otherwise direct, when the same amount to a competent sum, be laid out in like manner without any request for the purpose.

Balances of committee to be paid into Court and invested.

77.*

78. Where the committee of the estate makes default in bringing in his account, or in having the same passed, or in paying the balance certified to be due from him, or in causing the same or any sum of cash in court to be laid out, paid, or received, pursuant to any certificate or direction in that behalf, the masters shall, unless good cause be shown to them to the contrary, not only disallow his salary or remuneration (if any), but shall also charge him with interest at the rate of 4l. per cent per annum upon any balance or cash for the time during which the same appears to have been improperly retained in hand or uninvested.

If balances retained committee to be disallowed salary and to be charged with interest.

79. The master shall in each of the following cases, inquire whether or not it is expedient that a committee or a new

Masters to inquire in certain cases

* Rule 77 was repealed by the Rules of 1893.

whether a new committee should be appointed, committee of the person or of the estate should be appointed, that is to say :—

- (a) On default of a person approved to the committee of the estate in duly perfecting his security or in duly perfecting a fresh security when required by the masters.
- (b) On the death or discharge of a committee, or one of several committees, where the custody does not survive.
- (c) If a receiving order in bankruptcy is made against a committee or he compounds with his creditors.
- (d) If a committee absconds or goes to reside permanently abroad.

Appointment of new committee.

80. If it appears that a committee or a new committee ought to be appointed in any of the cases mentioned in the last preceding rule, the master may make an order appointing a proper person to be such committee or a new committee accordingly.

Accounts to be passed on discharge or death of committee or after supersedeas.

81. Upon the discharge or death of the committee of the estate or upon the issue of a supersedeas or the death of the lunatic, the masters shall take and pass the account of the committee from his appointment or from the foot of his last account. If a balance is certified to be due from the committee or his estate, he or his legal personal representatives shall pay the same into court by virtue of the certificate or otherwise within such time as the masters direct, or in the case of a supersedeas shall pay the same to the person whose lunacy has been superseded, or in the case of the death of the lunatic shall pay the same to the legal personal representatives of the lunatic. If the masters find a balance due to the committee or his estate, the same shall be paid to him or his legal personal representatives by the new committee out of the lunatic's estate, or in the case of a supersedeas by the person whose lunacy has been superseded, or in the case of the death of the lunatic by his legal personal representatives. Upon payment of the balance, if any, or if no balance is found due or the taking of the account is not required and may in the opinion of the masters be properly dispensed with, the security of the committee shall be discharged.

82.*

Receivers.

Appointment of receiver.

83. A receiver may be appointed in any case, in which such appointment shall be deemed expedient. Where a receiver is appointed, the person appointed shall, unless otherwise ordered, first give security to be allowed by the masters duly to account, for what he shall receive as such receiver, and to pay the same as the masters direct, and the person so appointed shall, unless otherwise ordered, be allowed by the masters a proper salary or allowance.

* Rule 82 was repealed by the Rules of 1893.

84. The provisions of these rules respecting the committee of the estate, his accounts, payments, allowances, and matters of the like nature, shall extend, so far as applicable with the necessary modifications, to the case of a receiver.

Provisions as to committees extended to receivers.

Evidence.

85. The masters may direct the evidence in any matter or any particular proceedings to be taken orally or partly orally and partly by affidavit.

Evidence may be taken orally or by affidavit.

86. The masters may administer oaths to any witness, whether his deposition or affidavit is to be used before themselves or not, and recognisances may be taken and acknowledged before them.

Masters may administer oaths and take recognisances.

87. The masters may cause to be issued such advertisements, as seem to them expedient, with reference to any application before them.

Masters may issue advertisements.

88. Every person, who has made an affidavit to be used on any proceeding, shall be liable to cross-examination by or before the masters, and after cross-examination may be re-examined.

Persons making affidavits may be cross-examined.

89. Every affidavit shall be drawn up in the first person, and shall be divided into paragraphs, and every paragraph shall be numbered consecutively, and as nearly as may be shall be confined to a distinct portion of the subject. Every affidavit shall be written or printed bookwise. No costs shall be allowed for any affidavit or part of an affidavit substantially departing from this rule.

Form of affidavits.

90. In every affidavit, made by two or more deponents, the names of the several persons making the affidavit shall be inserted in the jurat, except that, if the affidavit of all the deponents is taken at one time by the same officer, it shall be sufficient to state that it was sworn by both (or all) of the "above-named" deponents.

Affidavits by two or more deponents.

91. Every affidavit shall state the description and true place of abode of the deponent.

Description and abode of deponent to be stated.

92. The consent of a new trustee to act shall be sufficiently evidenced by a written consent signed by him and verified by a solicitor.

Consent of new trustee to act.
Form 12.

Summonses.

93. Summonses shall be prepared by the parties and sealed by one of the clerks in the masters' office with the seal of the office, and a copy of the summons shall be left at the masters' chambers by the party obtaining the same.

Summonses, how prepared and issued.
Form 13

Service and
return of
summons.

94. Subject to the provisions of these rules, a summons before the masters shall be served at least two clear days before the return thereof, unless the masters direct the summons to be returnable within a shorter time after service. The summons shall be addressed to all the persons on whom it is to be served.

Further time
for service may
be allowed.

95. When from any cause a summons before the masters has not been served upon any party at least two clear days before the return thereof, or within such shorter time as the masters direct, an endorsement may be made upon the summons, and upon the copy thereof, stamped for service, appointing a new time for the parties not before served to attend, and such endorsements shall be sealed at the masters' chambers; and the service of the copy so endorsed and sealed shall have the same effect as the service of an original summons; and when any party has been served before such endorsement, the hearing thereof may, upon the return of the summons, be adjourned to the new time so appointed.

Failure to
attend on
return of
summons.

96. Where any of the parties summoned to attend the masters in chambers fail so to attend, whether upon the return of the summons or at any time appointed for the consideration or further consideration of the matter, the masters may proceed *ex parte* if, considering the nature of the case, they think it expedient so to do.

Proceeding
ex parte not to
be re-opened
except upon
a special
application.

97. Where the masters have proceeded *ex parte*, such proceeding shall not in any manner be reconsidered in the masters' chambers, unless the masters, upon a special application made to them for that purpose by a party who was absent, are satisfied that a reconsideration is necessary or expedient.

Matters may
be further
considered
from time to
time.

98. Where matters in respect of which a summons has been issued are not disposed of upon the return of the summons, the parties shall attend from time to time, without further summons, at such time or times as may be appointed for the further consideration of the matter.

Masters may
dispense with
summons or
require sum-
mons to be
taken out.

99. The masters may, if they think fit, dispense with any summons ordinarily taken out in the course of the proceedings before them, and require any party attending before them to take out a summons for a particular purpose or within a particular time, and fix the time at which any particular summons shall be returnable before them, or at or within which any proceeding necessary or proper to be taken before them shall be taken, and may proceed *de die in diem*, or adjourn the proceedings before them, as they think fit.

The Chancery Visitors.

Masters to
supply
Chancery
visitors with
information.

100. The masters shall furnish the Chancery visitors with information as to the custody of the person, the property, and the scheme for the maintenance of each lunatic to be visited

by the Chancery visitors, and as to any change which has taken place in the property or in the custody of the person or the scheme for maintenance.

101. The Chancery visitors shall on each occasion of visiting any lunatic inquire and examine whether he is maintained in a suitable and proper manner, having regard to the existing scheme for his maintenance, and also whether, having regard to his property, it appears expedient that any and what addition should be made to his comforts, or any and what alterations made in the scheme for or manner of his maintenance.

Chancery visitors to inquire into maintenance of lunatic.

102. If the Chancery visitors on such inquiry and examination consider that the lunatic is not maintained in a suitable manner, or that the allowance provided for his maintenance is not duly applied, or that any provision in the scheme for his maintenance, either for his personal comfort or enjoyment, or otherwise, is not duly observed, or that any addition to the comforts or any alteration in the manner of the maintenance of the lunatic should be made which his property is capable of providing, they shall forthwith make a special report, stating their opinion and the grounds thereof to the board of visitors.

Chancery visitors to make special report in certain cases.

103. The board shall thereupon consider the report, and shall, if they think fit, refer the same to the masters.

Board to consider report.

104. The masters shall, on any such report as aforesaid being referred to them by the board, investigate the matters thereby reported upon, and may, if they deem it expedient, summon the committee of the person or estate to attend before them, to give explanations thereon, and such orders may be made as the circumstances require, and every such order shall be communicated by memorandum to the visitors.

Masters to investigate matters in report.

105. The Chancery visitors shall once at least in every year report to the Lord Chancellor in the case of each lunatic, stating the result of their examination and inquiry as to the maintenance of each lunatic, and shall also in any case in which any special report to the board has been made, state, so far as possible, what steps have been taken in consequence of such special report.

Chancery visitors to report once a year to the Lord Chancellor.

106. The masters shall inform the committees of the person upon their appointment of the annual amount allowed for the maintenance of the lunatic, or shall supply them with a copy of the scheme for maintenance, where a scheme has been provided.

Master to inform committees of person of allowance for maintenance.

107. Each committee of the person of a lunatic shall annually or from time to time and as often as may be required of him render to the board of visitors an accurate statement in writing of the various sums expended by him, the better to enable the visitors to ascertain and report, whether the lunatic is being suitably maintained and whether any

Committee of person to report to visitors as to expenditure.

additional comforts can be provided for him. The visitors may dispense wholly or partially with the requirements of this rule if in any case they think it desirable so to do.

Committee of person to report to visitors as to health of lunatic.

108. Each committee of the person of a lunatic shall half-yearly make a report to the board of visitors as to the mental and bodily health of the lunatic. If there is a medical attendant of the lunatic such medical attendant shall either countersign the report of the committee, or shall make a separate report which shall accompany that of the committee or be forwarded direct to the board of visitors.

Power to visitors to summon committee of person.

109. The board may summon the committee of the person of the lunatic to attend before them and to give such information in his possession relating to the lunatic as they may require.

Costs and Taxation of Costs.

Rules of Supreme Court as to costs to apply.

110. The rules of the Supreme Court as to costs for the time being in force shall, subject to these rules, apply to the costs of proceedings under the Lunacy Acts, 1890 and 1891,* taken after the commencement of these rules in any matter.

Pending proceedings.

111. In proceedings pending at the commencement of these rules, the rules as to costs in lunacy applicable before the commencement of these rules shall continue to apply.

Solicitors to be allowed same costs as in Chancery Division.

112. In all cases not otherwise herein specially provided for, solicitors shall be entitled to charge and be allowed the fees they would be entitled to charge and be allowed for work and labour of a similar character transacted in the Chancery Division of the High Court.

Refreshments not allowed.

113. No allowance shall be made for refreshments upon inquisitions.

Costs to be taxed by masters.

114. Costs of proceedings under the Lunacy Acts, 1890 and 1891,* shall be taxed by and under the direction of the masters. Charges and expenses shall not be allowed, except to committees of the estate or persons, unless under special circumstances the judge or master in any case direct them to be allowed.

Procedure on taxation.

115. Where it is ordered that any costs, or costs, charges, and expenses, be taxed, the master shall tax and certify such costs, or costs, charges, and expenses, and shall certify the names of the respective solicitors to whom the same should be paid; and due notice of attending the masters on the taxation shall be given to such parties as have liberty to attend on the proceedings in the matter; and where it is ordered that the costs, charges, and expenses of any committee or party in the matter of any application under the Lunacy Acts, 1890 and 1891,* be taxed, the masters in taxing

* 53 & 54 Vict. c. 5, and 54 & 55 Vict. c. 65.

such costs, charges, and expenses, shall not allow the costs, charges, or expenses of any application upon which no order has been drawn up, or of any evidence in relation thereto, unless they direct the same to be allowed as costs in the matter, and shall not allow the costs, charges, or expenses of or incidental to any application before the masters which they have refused, unless the masters are of opinion that such application was proper.

Construction of and Proceedings under Orders.

116. All orders for the appointment of committees and for the allowance of maintenance shall be deemed to take effect only until further order.

Certain orders to take effect till further order.

117. Where it is ordered, that a person named be appointed committee of the estate, the order shall be deemed to take effect only on the masters certifying, that he has given such security as they have approved for answering the estate and accounting for the rents, profits, and produce thereof once in every year, or oftener, if required, before the masters; and such security shall be perfected at or within such time as the masters appoint, and until such security has been perfected, the approved committee shall not, unless otherwise ordered, interfere in any manner in the affairs of the lunatic as the committee of his estate or otherwise. The masters shall inform the Paymaster-General when such security has been perfected.

Order appointing committee to take effect on security being given.

118. Where it is ordered, that the committee of the estate do receive, or be at liberty to receive, any money on account of the lunatic or his estate, he shall give credit for the same on passing his accounts before the masters, and where any sum is ordered to be allowed for the maintenance of the lunatic, or to be expended for any other purpose out of his estate, the committee of the estate shall be allowed the amount of the allowance for maintenance or the amount to be extended (as the case may be) on passing his accounts before the masters.

Committee to account for money received.

119. Where it is ordered, that the committee of the estate do pay any sums of money for maintenance, he shall pay the same out of income, and where it is ordered, that he do pay any costs, he shall, unless otherwise ordered, pay the same, when taxed, out of any moneys coming to his hands, after providing for the maintenance.

Payments by committee.

120. Where it is ordered, that any person be at liberty to retain any furniture or effects of the lunatic, he is to sign an inventory thereof and an undertaking to deliver up the same when required so to do, and such inventory and undertaking shall be deposited in the office of the masters.

Inventory to be signed.

Proper officers
to transfer
stock.

121. Where it is ordered, that a sum of stock standing in the books of the bank or other public company be transferred into court either generally or on a particular account, and no person is named in the order for making the transfer, the secretary or deputy secretary, accountant-general, or deputy accountant-general for the time being of the bank, or other proper officer of such other company, shall make the transfer, and he, or one of the cashiers for the time being of the bank, or other such proper officer as aforesaid, shall, if so directed, receive any sum of money standing in the books of the bank or such other company as aforesaid accrued due at the date of the order by way of dividend, bonus, or periodical payment in respect of the stock to be transferred, and also any future sum so to accrue due previously to the transfer, and shall pay the same into court either generally or on such particular account as aforesaid, as the case may require.

122.*

Order to raise
money by
mortgage.

123. Where it is ordered, that the committee be at liberty to raise by mortgage of any part of the lunatic's estate a sum of money for any purpose, the masters shall settle and approve a proper mortgage, and the committee upon payment to him, or as may be directed, of the amount to be raised, shall in the name and on the behalf of the lunatic execute the mortgage when so settled and approved, and do all such other acts as are necessary to effectuate the same, and the committee shall out of the income of the lunatic's estate, pay and keep down the interest on the mortgage.

Orders for
sale.

124. Where an order for the sale of a lunatic's real or leasehold estate is made, the purchaser shall, within such time as the masters appoint, pay his purchase-money into court, or otherwise as the masters direct, and in case of payment into court to such account, as the masters appoint, and upon such payment the purchaser shall be let into possession or receipt of the rents and profits as from such day as the masters appoint, and the committee of the estate shall forthwith in the name and on behalf of the lunatic execute all proper assurances of the property sold to the purchaser or as he directs to be settled by the masters, and due notice of attending the masters shall be given to all parties interested.

Writs of Execution, &c.

Writ of execu-
tion to issue
out of Central
Office.

125. All process or writs of execution, attachment or otherwise, requisite for the enforcement of any order made under the Lunacy Acts, 1890 and 1891,† may be issued out of the central office of the Supreme Court.

* Rule 122 was repealed by the Rules of 1893.
† 53 & 54 Vict. c. 5, and 54 and 55 Vict. c. 65.

Per-centage and Fees.

126. There shall be paid a per-centage at the rate of 4 per cent. per annum on the clear annual income, amounting to 100*l.* and upwards, of every lunatic so found by inquisition, but so that no larger sum shall be payable in any case in any one year than 400*l.*

Per-centage in case of lunatics so found by inquisition.

127. In the case of lunatics not so found by inquisition and of persons mentioned in Section 116 (1.) (d.) of the Lunacy Act, 1890,* with respect to whose property orders have been made under which income is from time to time dealt with or made available, there shall be paid a per-centage at the rate of 2 per cent. per annum on the clear annual income amounting to 100*l.* and upwards so dealt with or made available, but so that no larger sum shall be payable in any case in any one year than 200*l.* This rule shall apply to all orders made after the commencement of these rules.

Per-centage in other cases.

128. In calculating per-centage payable under these rules sums less than ten shillings shall be disregarded, and shall not be levied.

Sums under 10*s.* to be disregarded.

129. The following fees shall be payable in respect of proceedings under the Lunacy Acts, 1890 and 1891†:—

Certificates.

	£	s.	d.
On every certificate of a master other than a certificate of a master respecting per-centage - -	1	0	0

Attendances.

On an application, with or without subpoena, for any officer to attend as a witness or to produce documents (in addition to the reasonable expenses of the officer), for each day or part of a day he shall be necessarily absent from his office - -	1	0	0
---	---	---	---

The officer may require a deposit of stamps on account of any further fees, and a deposit of money on account of any further expenses which may probably become payable beyond the amount paid for fees and expenses on the application, and the officer or his clerk taking such deposit shall therefore make a memorandum thereof on the application.

The officer may also require an undertaking in writing to pay any further fees and expenses which may become payable beyond the amounts so paid and deposited.

* 53 and 54 Vict. c. 5.

† 53 & 54 Vict. c. 5, and 54 & 55 Vict. c. 65.

Orders.

	£	s.	d.
On every Order - - - - -	2	0	0
And in addition thereto the following fees, where the clear annual income of the person to whose property the Order relates amounts to 100 <i>l.</i> and upwards:			
(a) On an Order authorising a particular lease an amount equal to one-fourth the stamp duty payable on the lease;			
(b) On an Order authorising a sum of money to be raised by mortgage or charge for every 100 <i>l.</i> or fraction of 100 <i>l.</i> of the amount to be raised - - - - -	0	2	0
(c) On an Order approving or authorising a contract for sale of any property for every 100 <i>l.</i> or fraction of 100 <i>l.</i> of the amount of the purchase money - - - - -	0	2	0
(d) On an Order authorising a sale by auction where the reserve price is fixed or approved by the masters for every 100 <i>l.</i> or fraction of 100 <i>l.</i> of the amount of the reserve price - - - - -	0	2	0
(e) On an Order conferring a general authority to sell or grant leases - - - - -	10	0	0

Provided also that the fees payable under the heads *a*, *b*, *c*, and *d* shall not exceed 10*l.*

Provided also that the fees payable under the heads *a*, *b*, *c*, *d* and *e* shall not be payable upon any order made while per-centage is payable upon the income of the person to whose property the order relates.

Copies.

On all copies of documents, the actual cost.

Impressed
stamps to be
used.

130. The fees payable under these rules shall be paid by means of stamps. Impressed stamps shall be used, unless for some sufficient reason, to be approved of by the masters, their use be inconvenient. The stamps shall be impressed or affixed on the vellum, parchment, or paper on which the proceeding in respect whereof such stamps are required is written or engrossed, or which may otherwise be used in reference to such proceeding.

Stamp to be
cancelled.

131. Every officer who receives any document to which a stamp is affixed shall, immediately upon the receipt of such document, cancel or deface the stamp thereon, by writing upon such stamp his name or the initial letters of his name in such a manner as to show clearly and distinctly that such stamp has been made use of, and so that the same may not be again used, and no document bearing an adhesive stamp

shall be filed or delivered out until the stamp thereon has been cancelled or defaced in manner aforesaid.

132. In all cases where adhesive stamps are used the stamps affixed to the document shall be of an amount corresponding, as nearly as is practicable, with the amount of the stamp which such document requires, in order that no greater number of adhesive stamps may be affixed to any document than is actually necessary.

Limited number of adhesive stamps to be used.

133. The masters shall certify the amount of per-centage payable in each case, and the person who is to pay the same, and the time within which the same is to be paid, and such person shall pay the same out of the first money coming to his hands on account of income.

Masters to certify amount of per-centage.

134. The masters may, in such cases as they think fit, certify that the whole or any part of the per-centage payable on the incomes of lunatics shall be paid out of cash arising from dividends of the lunatic standing to the credit of the matter of any lunacy, either generally or to any particular account, and when any such certificate is made the amount certified thereby shall not be paid by means of stamps, but shall be carried over and transferred in manner herein-after directed.

Masters may certify per-centage to be paid out of dividends.

135. There shall be kept, in the Paymaster General's office, an account intituled "The Paymaster General's Lunacy Per-centage Account."

Lunacy Per-centage Account.

136. When any such certificate as last herein-before mentioned is made, an office copy of such certificate shall be left at the office of the Paymaster General, who shall, by virtue of such certificate, out of any cash arising from dividends or interest on money on deposit belonging to the lunatic standing to the credit of the matter of any lunacy, carry over the amount mentioned in such certificate from the credit of the account in such certificate mentioned to the credit of the Lunacy Per-centage Account, and any orders made and to be made in any such matters respectively are to be subject to this rule and to be acted upon accordingly.

Upon certificate of masters' dividends to be carried to Per-centage Account.

137. As soon as conveniently may be after the 31st of January in each year, the Paymaster General shall, by certificate under his hand, direct the Bank to refer to his "Cash Account" at the Bank the amount of cash standing on that day to the credit of the Lunacy Per-centage Account, and such certificate shall be a good and sufficient authority to the Bank to write off the amount therein mentioned from the Lunacy Per-centage Account, and to carry it to the "Cash Account" without any further order of the Court, and upon receiving from the Bank a certificate that such transfer has been effected the amount so transferred shall be placed to the debit of the proper accounts in the books of the Paymaster General.

Transfer from Per-centage Account to Cash Account.

Per-centage to be paid by stamps.

138. Subject to the provisions herein-before contained, the per-centage shall be paid by means of stamps, and the masters shall give notice in writing to the committee of the estate or other proper person of the amount of per-centage to be paid by him according to the certificate of the masters, and of the time within which such amount is to be paid, and the committee or such other person shall within such time pay the amount stated in the notice out of income by purchasing stamps to such amount, and shall file such notice duly stamped at the office of the masters.

Per-centage may be paid for less than a year.

139. Where it appears to the masters, with a view to the establishment of a uniform period for the payment of per-centage or for other purposes, to be expedient, they may make in any case a certificate comprising the income of a period greater or less than one year, and stating the amount of per-centage payable for such period.

Masters to certify persons in default in paying per-centage.

140. The masters shall, once at least in every six months, and oftener if they think fit, certify to the Treasury the names of all persons, if any, who are then in default in paying the amount certified to be payable by them in respect of the said per-centage and filing the notices duly stamped as herein-before provided, with the amounts payable by such parties respectively.

Copies of Documents.

Copies to be made in the master's office.

141. The following copies of proceedings and documents shall be made in the master's office (that is to say): office copies of affidavits to be made for and taken by the party filing the same; copies of documents prepared in the masters' office to be made for and taken by the party having the conduct of the proceedings; office copies of all orders, certificates, and other documents, and of all proceedings filed in the masters' office; and copies of all documents filed in the masters' office. Copies of all proceedings and documents, except those above mentioned, shall be made, delivered, charged, and paid for according to these rules.

Request for copies.

142. The party, or his solicitor, requiring any copy, save as herein-before excepted, shall make a written request, to be delivered to the party by whom the copy is to be furnished or his solicitor, with an undertaking to pay the proper charges. Upon the request being made, with such undertaking as afore-said, copies of such proceedings or documents shall be made by the party or his solicitor filing or leaving the same, or who, under the last preceding rule, may have taken office copies thereof.

Time for delivery of copies.

143. The copies shall be ready to be delivered at the expiration of forty-eight hours after the delivery of such request and undertaking, or within such other time as the judge in any case directs, and shall be delivered accordingly upon demand and payment of the proper charges.

144. The charges for all such copies shall be at the rate of fourpence per folio of 72 words, every figure comprised in a column being counted as one word. Charge for copies.

145. The folios of all copies shall be numbered consecutively in the margin thereof, and the name and address of the party or solicitor by whom the same are made shall be endorsed thereon, and such party or solicitor shall be answerable for the same being true copies of the originals or of the office copies of the originals of which they respectively purport to be copies, as the case may be. Folios to be numbered.

146. Any party or solicitor who has taken any office copy under these rules shall produce the same in court or at the office of the masters when required for the purpose of the proceedings to which the same relates. Solicitor taking office copy to produce it.

147. All office copies and copies to be furnished by parties or their solicitors shall be written on paper of a convenient size, with a sufficient margin, and in a neat and legible manner, similar to that which is usually adopted by law stationers, and in the case of copies to be furnished by parties or their solicitors unless so written, the parties or solicitors furnishing them shall not be entitled to be paid for the same. Copies to be on convenient paper and legible.

148. In case any solicitor who is required to furnish any such copy as aforesaid either refuses or for two clear days from the time when the application for such copy has been made neglects to furnish the same, the person by whom such application has been made shall be at liberty to procure a copy from the office in which the original document is or has been filed or left in the same way as if no such application had made to the solicitor, and in such case no costs shall be due or payable to the solicitor so making default in respect of the copy or copies so applied for. Default of solicitor to furnish copy.

149. The masters shall not allow any costs in respect of any copy unless the same appears to them to have been required and to have been made with due care. Costs of unnecessary copies to be disallowed.

The sixth day of February, 1892.

Halsbury, C.

The SCHEDULE referred to in the foregoing Rules.

FORM 1.

TITLE OF PROCEEDINGS.

(a) *Application as to alleged Lunatic.*

In Lunacy.

In the matter of *A.B.* a person alleged to be of unsound mind.

(b) *Application as to Lunatic so found by Inquisition.*

In Lunacy.

In the matter of *A.B.* a person of unsound mind.

(c) *Application as to Lunatic not so found by Inquisition.*

In Lunacy.

In the matter of *A.B.* a person of unsound mind not so found by inquisition.

(d) *Application in Lunacy and in the Chancery Division.*

In Lunacy

and

In the High Court of Justice,
Chancery Division.

In the matter of *A.B.* a person of unsound mind [*or as the case may be*].

(e) *Application as to Person through mental infirmity arising through Disease or Age incapable of managing his affairs.*

In the matter of *A.B.*

and

In the matter of the Acts 53 Vict. c. 5, and 54 & 55 Vict. c. 65.

(f) *Application for Vesting Order.*

In Lunacy.

In the matter of the trusts of an indenture dated the
and made between

and

In the matter of *A.B.* a person of unsound mind [*or as the case may be*].

and

In the matter of the Lunacy Acts, 1890 and 1891.

FORM 2.

NOTICE OF APPEAL FROM AN ORDER OF A MASTER.

[*Insert the Title of the Proceedings.*]

Take notice that _____ of _____ desires to
appeal to the Judge from the order of the Master made in this matter
dated the _____ [*if part only is appealed from add: so far as it*
directs that _____].

And that he intends to ask that the said order may be discharged [*or varied*] and that it may be ordered that

Dated the _____ day of _____

(Signed)
_____, Solicitors for

To
and to Messrs.
his Solicitors.

FORM 3.

NOTICE OF APPEAL FROM A CERTIFICATE OF A MASTER.

[Insert the Title of the Proceedings.]

Take notice that _____ of _____ intends to appeal from the certificate of the master made in this matter dated the _____

And that he intends to ask that the said certificate may be varied as follows : [state the variation].

And that such consequential directions may be given or corrections and alterations made in the said certificate as may be necessary.

Dated the _____ day of _____

To _____ (Signed) _____, Solicitors for
and to Messrs. _____
his Solicitors.

FORM 4.

PETITION FOR AN ORDER OF INQUISITION.

For Title, see Form 1A.

To the Right Honourable the Lord High Chancellor of Great Britain.

The humble petition of C.D., of _____ in the county of _____ showeth as follows :

1. A.B., now residing at _____ is now and for _____ years last past has been of unsound mind and incapable of managing himself and his affairs.

2. Your petitioner is the father of the said A.B.

Your petitioner therefore humbly prays that the Masters in Lunacy, or one of them, may be directed to inquire concerning the alleged lunacy of the said A.B.

And your petitioner will ever pray, &c.

(Signed) C.D.

Witness to the signature of the said C.D.,
E.F.,
Solicitor.

FORM 5.

NOTICE TO ALLEGED LUNATIC OF PETITION FOR INQUISITION.

"Mr. A.B.

"Take notice that a petition, of which a copy is within written, has been presented to the Lord Chancellor by me (or by C.D. of _____),*

and that by virtue of and under the same an inquiry may be ordered to take place before one of the Masters in Lunacy as to whether you are or are not of unsound mind and incapable of managing yourself and your affairs, but that you may in case you think fit, demand that such inquiry may, if ordered, be had before a jury, in which case a notice of such your desire must be signed by you and attested by a solicitor, and filed at the office of the Masters in Lunacy, the Royal Courts of Justice, London, within seven clear days after your receipt of this notice.

"Dated the _____ day of _____

(Signed) C.D.
(or X.Y. of _____

Solicitor.)"

* When a demand for a jury has already been filed, from this to the end is to be omitted.

FORM 6.

NOTICE TO ALLEGED LUNATIC OF REPORT OF COMMISSIONERS UNDER
THE LUNACY ACT, 1890.

"Mr. A.B.

"Take notice that the Commissioners in Lunacy on the _____ day of _____ made a report to the Lord Chancellor, stating that you are detained or taken charge of as a lunatic, and that they are of opinion that your property is not duly protected (or that the income of your property is not duly applied for your benefit or to that effect): And take notice that such report having been duly filed, an inquiry may thereon be ordered by the Judge in Lunacy to take place before one of the Masters in Lunacy as to whether or not you are of unsound mind and incapable of managing yourself and your affairs, but that in case you think fit to demand that such inquiry if ordered to be held may take place before a jury, a notice thereof must be signed by you and attested by a solicitor, and filed at the office of the Masters in Lunacy, the Royal Courts of Justice, London, within seven days after your receipt of this notice.

"Dated the _____ day of _____

(Signed) "X.Y."

FORM 7.

NOTICE BY ALLEGED LUNATIC DEMANDING A JURY.

"In the matter of A.B., an alleged lunatic.

"I, the above-named A.B., having been on the _____ day of _____ served with a notice of a petition for an order for an inquiry (or of the filing of a report whereon an inquiry may be ordered), whether or not I am of unsound mind and incapable of managing myself and my affairs, do hereby demand that, in the event of such an inquiry as aforesaid being ordered, the same be had before a jury.

"Dated the _____ day of _____

(Signed) "A.B."

"Witness,
"M.N., of
"Solicitor."

FORM 8.

NOTICE TO PERSON OF UNSOUND MIND NOT SO FOUND BY INQUISITION
OF APPLICATION UNDER THE LUNACY ACTS, 1890 AND 1891.

"Mr. A.B.

"Take notice that a summons, of which a copy is within written, was on the _____ day of _____ issued by me (or by C.D., of _____), and that in pursuance thereof orders may be made on the ground (state the ground on which the case is brought within Section 116 of the Lunacy Act, 1890, e.g., that you are lawfully detained as a lunatic) for the purpose (state the purpose, e.g., of rendering your property or the income thereof available for the maintenance or benefit of yourself or of yourself and your family or for carrying on your trade or business), and that if you intend to object to such orders being made, notice of such objection must be signed by you and attested by a solicitor, and filed at the office of the Masters in Lunacy, the Royal Courts of Justice, London, within seven clear days after your receipt of this notice.

"Dated the _____ day of _____

(Signed) C.D.
(or) H.Y.
Solicitor."

FORM 9.

NOTICE OF OBJECTION BY PERSON OF UNSOUND MIND NOT SO FOUND BY
INQUISITION TO ORDER UNDER LUNACY ACTS, 1890 AND 1891.

"I, *A.B.*, of _____ having been served with a notice of a summons
for an order respecting my property, under the Lunacy Act, 1890, hereby
give notice of my intention to object to such order being made.

"Dated the _____ day of _____

"*A.B.*"

"Witness,

"*E.F.*,"

"Solicitor."

FORM 10.

NOTICE TO PERSON THROUGH MENTAL INFIRMITY ARISING FROM DISEASE
OR AGE INCAPABLE OF MANAGING HIS AFFAIRS.

"Mr. *A.B.*

"Take notice that a summons, of which a copy is within written, was
on the _____ day of _____ issued by me (or by *C.D.*
of _____), and that in pursuance thereof, orders may
be made on the ground that you are, through mental infirmity arising
from disease [or age], incapable of managing your affairs, for the purpose
[state the purpose, e.g., of rendering your property or the income thereof
available for the maintenance or benefit of yourself or of yourself and your
family or for carrying on your trade or business], and that if you intend
to object to such orders being made notice of such objection must be signed
by you and attested by a solicitor, and filed at Room No. _____ at the
Royal Courts of Justice, London, within seven clear days after your
receipt of this notice.

"Dated the _____ day of _____

(Signed) *C.D.*,
(or) *X.Y.*,
Solicitor."

FORM 11.

NOTICE OF OBJECTION BY PERSON THROUGH MENTAL INFIRMITY ARISING
FROM DISEASE OR AGE INCAPABLE OF MANAGING HIS AFFAIRS.

"I, *A.B.*, of _____, having
been served with a notice of a summons for an order respecting my pro-
perty under the Acts 53 Vict. c. 5 and 54 & 55 Vict. c. 65 hereby give
notice of my intention to object to such order being made.

"Dated the _____ day of _____

"*A.B.*"

"Witness,

"*M.N.*,"

"Solicitor."

FORM 12.

CONSENT TO ACT.

"I, *A.B.* hereby consent to act as a trustee of the
[*describe the instrument*].

"Dated the _____ day of _____ (Signed) "*A.B.*"

"I, *C.D.*, of _____, solicitor, hereby certify that the above
written signature is the signature of *A.B.*, the person mentioned in the
above written consent.

"Dated the _____ day of _____ (Signed) "*C.D.*"

FORM 13.

SUMMONS BEFORE THE MASTERS.

For title see Form 1.

Let all parties concerned attend the Master in Lunacy in Chambers [*or in the case of a person through mental infirmity arising from disease or age incapable of managing his affairs: the Master in Chambers at Room No. _____*], at the Royal Courts of Justice, London, on _____ day the _____ day of _____ at _____ o'clock in the _____ noon on the hearing of an application on the part of [*here state on whose behalf the application is made and its object*].

Dated the _____ day of _____, 18 ____.

This summons was taken out by _____
of _____, solicitor for _____
To _____

TREASURY ORDER, DATED AUGUST 11, 1892, AS TO THE FEES AND PER-CENTAGES, UNDER SECTION 148 OF THE LUNACY ACT, 1890,* WHICH ARE REQUIRED TO BE TAKEN FOR LUNACY PROCEEDINGS IN THE HIGH COURT OF JUSTICE AND COURT OF APPEAL BY MEANS OF STAMPS.

Whereas, by Section 3 of the Public Offices Fees Act, 1879,† it is provided that the Treasury may from time to time make, and when made, revoke, alter, and add to regulations for all or any of the following purposes respecting fees in any public office; that is to say:—

- (1.) Regulating the manner in which the fees taken in money are to be taken, accounted for, and paid over.
- (2.) Determining the use of impressed or adhesive stamps, and the mode of cancellation of adhesive stamps.
- (3.) Regulating the use of stamps and prescribing the application thereof to documents from time to time in use, and requiring documents to be used for the purpose of such stamps.

* 53 & 54 Vict. c. 5.

† 42 & 43 Vict. c. 58

Provided that any such regulations which may relate to the office of any court of law shall be made with the consent of the Lord Chancellor.

Now we, the undersigned, being two of the Lords of Her Majesty's Treasury, do, with the concurrence of the Lord Chancellor, hereby give notice, and order and direct—

That, from and after the date of this Order, in lieu of any regulations on the subject heretofore in force, the whole of the fees and per-centages imposed by the rules made under section 148 of the Lunacy Act, 1890,* shall be taken in stamps, and that the stamps employed for the purpose shall in all cases, except for the fees payable for copies of documents, be impressed. The stamps for denoting the fees payable for copies of documents shall be either impressed or adhesive.

The impressed stamps herein referred to shall be of such a character as the Commissioners of Inland Revenue may, from time to time, adopt for the purpose, whilst the adhesive stamps shall be of the description used for judicature fees generally, such adhesive stamps to be cancelled by the various court or other officers, either by perforation or in such manner as the said Commissioners may from time to time direct.

The official forms, with impressed or adhesive stamps (as the case may be), required in any proceedings under the said Act shall be sold at the Inland Revenue Office, Royal Courts of Justice.

And we do further direct that this Order shall be binding on all courts, officers, and persons whom it may in any way affect.

Sidney Herbert,
Herbert Eustace Maxwell,
Two of the Lords of Her Majesty's
Treasury.

Dated the 11th day of August, 1892.

I concur in this Order.

Halsbury, C.

“THE RULES IN LUNACY, 1893,” DATED JUNE 15, 1893.

1. Upon any application under Section 116 of the Lunacy Act, 1890,* the masters may, if they consider it desirable for the care of the person or for the management of the estate or otherwise in the interest of any lunatic or alleged lunatic, direct such person as they think fit to present a petition for an order for inquisition as to the lunatic or alleged lunatic; and if such direction is not complied with within ten days,

Masters may direct a petition for inquisition to be presented.

* 53 & 54 Vict. c. 5.

or such further time as the masters allow, the masters may direct such petition to be presented by the official solicitor, and the official solicitor shall present the same accordingly.

Powers of masters in case of undue delay.

2.—(1.) If it appears to the masters that there is undue delay in any matter before them, or if the masters are otherwise dissatisfied with the conduct of any proceedings or with the mode in which any order made or direction given by the masters is being carried out, they may summon before them the party having the conduct of the proceedings or any other person appearing to be answerable, to explain the delay or other conduct with which they are dissatisfied, and may make such order as the circumstances require; and for the purposes aforesaid the masters may direct the official solicitor to summon the persons whose attendance is required, and to conduct any proceedings and carry out any directions; and the masters may, if they think fit, appoint the official solicitor to act as solicitor in such matter in the place of any solicitors previously acting.

(2.) An order of the masters under this rule shall be subject to appeal to the judge in accordance with the provisions of Rule 11 of the Rules in Lunacy, 1892.*

Costs of official solicitor.

3. Any costs incurred by the official solicitor in relation to any proceedings taken by him pursuant to the directions of the masters shall be paid by such parties or out of such funds as the masters direct.

Undertaking to be given by person appointed to do any act or exercise any power.

4. Where any order is made by the masters under that portion of the Lunacy Act, 1890,† which relates to management and administration, the masters shall, unless for special reasons they think fit to dispense therewith, require the person appointed by the order to do any act or exercise any power to give an undertaking to the following effect with such modifications as the circumstances of the case shall require :

Undertaking.

I, A.B., of [insert address and description] undertake to apply all such moneys as I may receive belonging to the said or his [or her] estate, and all moneys which I may receive on his [or her] account in such manner as the Masters in Lunacy shall direct, and to account for such moneys when required; and further, to give such security for the due application of and accounting for such moneys as may be required by any order of the masters, and to obtain and send every six months to the masters a report from a duly qualified medical man as to the mental and bodily condition of the said and further, every six months to give notice in writing to the masters of the then place of abode of the said and

* Printed at p. 2 above.

† 53 & 54 Vict. c. 5.

further, to use my best endeavours to produce the said and to allow him [or her] to be visited by any Chancery visitor or other person authorised by the masters to visit him [or her], and to give such directions as the masters may require to facilitate such visits.

5. The Chancery visitors shall, upon the request of the masters, visit and report as to any persons with reference to whom or to whose estate an application is pending before or an order has been made by the masters.

Chancery Visitor, to visit and report upon request of Masters.

6. Orders and other documents issued from the masters' office shall be sufficiently authenticated by the seal of the masters' office and it shall not be necessary to sign the same.

Orders and documents to be authenticated by seal.

7. The words "other documents" are hereby substituted in Rule 68 of the Rules in Lunacy, 1892,* for the word "certificates."

Amendment of Rule 68 of Rules in Lunacy, 1892.

8. The masters' allowance of the account of a committee shall be sufficiently authenticated by the seal of the masters' office.

Allowance of account to be authenticated by seal.

9. When the security of a committee of the estate, receiver, or other person is to be discharged, the bond shall be delivered up to be cancelled, or in the case of a recognizance, the proper officer shall, upon a direction from the masters, attend the masters, who shall thereupon vacate such recognizance in the usual manner; and in the case of security having been given in the whole or in part by a sum of money or stock being brought into court, the masters may make an order for the payment or transfer, in such manner as the masters think proper, of the sum of money or stock, and the dividends thereon.

Discharge of security.

10. Where an order is made authorising a lease of a lunatic's property, the masters shall settle a proper lease in pursuance of the order, and their allowance of the lease when settled shall be sufficiently authenticated by the seal of the masters' office; and the committee of the estate shall in the name and on behalf of the lunatic execute the lease when allowed upon the intending lessee executing a counterpart thereof.

Allowance of lease to be authenticated by seal.

11. Every committee of the person of a lunatic so found by inquisition shall, within three days after any change shall have taken place in the residence of the lunatic, send by post to the office of the Visitors of Lunatics, Royal Courts of Justice, London, notice thereof, with the address of the place to which the lunatic has been removed.

Change of residence.

12. The Rules in Lunacy, 1892,* referred to in the schedule hereto, are hereby annulled to the extent mentioned in the second column thereof.

Repeal of Rules in Lunacy, 1892, in part.

* Printed at p. 1 above.

Short title.

13. These rules may be cited as the Rules in Lunacy, 1893, and shall be read as one with the Rules in Lunacy, 1892, and shall come into operation on the first day of July, 1893.

(Signed) *Herschell, C.*

The 15th day of June, 1893.

*The Schedule.**

* * * * *

2. Masters in Lunacy and Chancery Visitors.

ORDER, DATED JANUARY 26, 1891, MADE BY THE LORD CHANCELLOR, WITH THE CONSENT OF THE TREASURY, PRESCRIBING ALLOWANCES FOR SUBSISTENCE, &c., TO MASTERS AND VISITORS IN LUNACY.

It is ordered and directed, with the sanction of the Lords Commissioners of her Majesty's Treasury, that the amount of expenses to be allowed in the case of every Master in Lunacy and Visitor of Lunatics hereafter appointed under the Lunacy Act, 1890,† shall be as follows, namely his actual outlay in travelling in the performance of his duties as such master or visitor, and one pound eleven shillings and sixpence for each night's absence from home, or ten shillings and sixpence for each day's absence of more than ten consecutive hours, or the actual outlay on subsistence during the time of any necessary absence after 8.30 p.m., for his expenses and subsistence; and fifteen shillings for each night's absence from home, or five shillings for each day's absence of more than ten consecutive hours for the expenses and subsistence of a clerk (when accompanying a Master in Lunacy); every such night's absence including a period of twenty-four hours; all such allowances for travelling and other expenses and subsistence as aforesaid to be paid on such days and in such manner as the said Lords Commissioners shall from time to time direct.

The 26th day of January, 1891.

Halsbury, C.

We approve,

Sidney Herbert,
Herbert Eustace Maxwell,
Lords Commissioners of Her
Majesty's Treasury.

* This schedule which comprised a list of the Rules of 1892 repealed by the 1893 Rules is omitted from this reprint and the 1892 Rules are printed as accordingly amended.

† 53 & 54 Vict. c. 5.

3. Jurisdiction of County Court Judges and Magistrates.

RULES, DATED MARCH 29, 1890, MADE BY THE LORD CHANCELLOR UNDER SECTION 338, SUB-SECTION 4, OF THE LUNACY ACT, 1890.*

1. If on the presentation to a judge of county courts of a petition for a reception order, or the transmission to a judge of a notice that a lunatic desires to exercise the right of being taken before or being visited by him, such judge is unable to proceed upon such petition or notice without interfering with or delaying the exercise of his ordinary jurisdiction, it shall be lawful for him by writing under his hand, to certify such inability, together with the grounds upon which the certificate is founded, and thereupon to send the petition or notice, and the documents accompanying the same, together with the certificate, by registered post, to the justices clerk of the petty sessional division or borough where the lunatic is, to be transmitted by the clerk to some other of the judicial authorities mentioned in Section 9, sub-section 1, of the Lunacy Act, 1890* ; and such other judicial authority shall thereupon proceed in the matter as if the petition had been presented or the notice had been transmitted to him in the first instance.

2. A judge of county courts signing a certificate under these rules shall also send a copy thereof to the Lord Chancellor.

3. Certificates under these rules shall be according to the form in the schedule.

The Schedule.

FORM OF CERTIFICATE.

Whereas a petition for a Reception Order under the Lunacy Act, 1890, in the matter of *A.B.*, a person alleged to be of unsound mind, has been presented to me : [*or, whereas a notice of the desire of A.B., a person under care and treatment as a lunatic, to be taken, under the Lunacy Act, 1890, before or visited by a Judge of County Courts, magistrate, or justice of the peace has been transmitted to me :*]

Now I, the undersigned, certify that I am unable to proceed upon the said petition [*or, the said notice*] without interfering with or delaying the exercise of my ordinary jurisdiction as a Judge of County Courts. The grounds upon which this certificate is founded are as follows : (*here state them*).

(Signed) _____

Judge of the County Court
of _____

Dated _____

Halsbury, C.
March 29, 1890.

* 53 & 54 Vict. c. 5.

RULES, DATED MARCH 31, 1890, MADE BY THE SECRETARY OF STATE UNDER SECTION 338, SUB-SECTION 4, OF THE LUNACY ACT, 1890.*

1. If on the presentation to a magistrate of a petition for a reception order, or the transmission to a magistrate of a notice that a lunatic desires to exercise the right of being taken before or being visited by him, such magistrate is unable to proceed upon such petition or notice without interfering with or delaying the exercise of his ordinary jurisdiction, it shall be lawful for him by writing under his hand, to certify such inability, together with the grounds upon which the certificate is founded, and thereupon to deliver or send the petition or notice, and the documents accompanying the same, together with such certificate, to the justices' clerk of the petty sessional division or borough where the lunatic is, to be by him transmitted to some other of the judicial authorities mentioned in Section 9, sub-section 1, of the Lunacy Act, 1890* ; and such other judicial authority shall thereupon proceed in the matter as if such petition had been presented or such notice had been transmitted to him in the first instance.

2. A magistrate signing any such certificate shall also send a copy thereof to the Home Office.

3. Certificates under these rules shall be in the form in the schedule.

Henry Matthews,
Secretary of State.

Home Office, Whitehall,
31st March 1890.

The Schedule.

FORM OF CERTIFICATE.

Whereas a petition for a Reception Order in the matter of *A.B.*, a person alleged to be of unsound mind, has been presented to me : [*or, whereas a notice of the desire of A.B., a person under care and treatment as a lunatic, to be taken before or visited by a Judge of County Courts, magistrate, or justice of the peace has been transmitted to me :*]

Now I, the undersigned, certify that I am unable to proceed upon the said petition [*or, the said notice*] without interfering with or delaying the exercise of my ordinary jurisdictions. The grounds upon which this certificate is founded are as follows : [*State them.*]

(Signed)

Dated

* 53 & 54 Vict. c. 5.

4. Care and Treatment.

REGULATIONS DATED APRIL 17, 1895, MADE BY THE COMMISSIONERS IN LUNACY UNDER SECTION 40 (6) OF THE LUNACY ACT, 1890,* AS TO INSTRUMENTS AND APPLIANCES FOR THE MECHANICAL RESTRAINT OF LUNATICS.

1895. No. 212.

Lunacy Act, 1890,* Section 40.

(Here follows a reprint of that Section).

In pursuance of Sub-section 6 of the above section of the Lunacy Act, 1893,* the Commissioners in Lunacy, by this regulation under their common seal, do hereby determine that "mechanical means of bodily restraint" shall include all instruments and appliances whereby the free movements of the body or of any of the limbs of a lunatic are restrained or impeded, but that the following instruments and appliances only shall be made use of for such purpose:—

1. A jacket or dress, laced or buttoned down the back, made of strong linen, with long outside sleeves fastened to the dress only at the shoulders, and having closed ends to which tapes may be attached for tying behind the back when the arms have been folded across the chest.
2. Gloves without fingers, fastened at the wrists with buttons or locks, and made of strong linen or chamois leather, padded or otherwise.
3. If the continuous bath be employed, the use of a cover to the open bath, with an aperture therein for the patient's head, shall be deemed to be mechanical means of restraint.
4. The wet or dry pack. If, and when, either is used, the patient shall be swathed in sheets and blankets only, the outer sheet being, if necessary, sewn or pinned. No straps or ligatures of any kind shall be used, and the patient shall be released for necessary purposes at intervals not exceeding two hours.
5. Sheets or towels when tied, or fastened to the sides of of a bed or other object. When these are used only for the purpose of forcible feeding, and merely held by attendants, and not tied or fastened, their use shall not be considered to come under the head of mechanical restraint.

It is essential to the safe employment of any of these forms of restraint, except No. 2, that the patient be visited frequently by a medical officer, that he be kept under continuous special supervision by an attendant, and that under no circumstances he be left unattended; and it is hereby so ordered.

* 53 & 54 Vict. c. 5.

The Commissioners direct that at each visit of Commissioners or a Commissioner to an asylum, hospital or licensed house, or to a single patient, all instruments and mechanical appliances which may have been employed in the application of bodily restraint to a lunatic since the last preceding visit, be produced to the visiting Commissioners or Commissioner by the superintendent, resident medical officer, or resident licensee, or the person having charge of the single patient.

It will be seen that the section requires that in every case where mechanical restraint is applied, a medical certificate describing the mechanical means used, and stating the grounds upon which the certificate is founded, be signed in asylums and hospitals by the medical superintendent, in licensed houses by the resident or visiting medical practitioner, in workhouses by the medical officer, and in the case of single patients by the medical attendant; that a full record of every case of restraint be kept *from day to day*; and that a copy of such records and certificates be sent to the Commissioners in Lunacy at the end of every quarter.

In framing this regulation, in which they have defined the "mechanical means" which may alone be used in the imposition of restraint, the Commissioners in Lunacy have merely discharged the duties cast upon them by the enactment quoted above; and they desire to guard themselves most strictly against the supposition that they have thereby given any greater countenance to the employment of this form of treatment than they have hitherto shown.

While recognising, as the enactment recognises, the possible occurrence of cases in which its employment may be necessary and consistent with humanity, they remain of opinion that the application of mechanical restraint should always be restricted within the narrowest possible limits, that it should not be long continued without intermission, and that it should be dispensed with immediately that it has effected the purpose for which it was employed.

This regulation shall come into operation on the 1st day of July, 1895, on and from which day the regulation of the 9th April, 1890,* shall cease to have effect, and a copy shall be inserted at the beginning of every register of mechanical restraint.

Sealed by order of the Board,

G. Harold Urmson,

Secretary.

19, Whitehall Place, London, S.W.,
the 17th day of April, 1895.

* Published in Statutory Rules and Orders 1890, p. 815.

5. Institutions for Lunatics.

- (a.) *Reports and Returns*, | (b.) *Financial Statement*,
p. 37. | p. 63.

(a) Reports and Returns.

RULES, DATED JUNE 26, 1895, MADE BY THE COMMISSIONERS
IN LUNACY WITH THE APPROVAL OF THE LORD CHAN-
CELLOR.

1895. No. 281,

The Lunacy Acts, 1890,* 1891.†

- 1.—(1.) There shall be kept in every institution for lunatics— Books to be kept.

- (a) A visitors' book.
- (b) A register of patients.
- (c) A register of removals, discharges, and deaths.
- (d) A medical Journal.
- (e) A register of mechanical restraint.
- (f) A medical case book for patients.
- (g) A post mortem book.

(2.) There shall also be kept in every asylum receiving private patients, hospital, and licensed house, a patients' book, and in every hospital and licensed house receiving boarders a register of all voluntary boarders, and a case book for voluntary boarders for treatment.

(3.) There shall be kept in every house where a single patient is detained a medical journal and a register of mechanical restraint.

(4.) In every institution for lunatics in which private and pauper patients are admitted there shall be kept a separate register of patients, medical journal, and register of removals, discharges, and deaths, for each class of patients.

2. The register of patients shall be in the Form 1 in the schedule. Register of patients.

3. The register of removals, discharges, and deaths shall be in the Form 2 in the schedule. Register of removals, discharges and deaths.

4.—(1.) The medical journal to be kept in institutions for lunatics shall be in the Form 3 in the schedule; but, if desired, a separate journal may be kept for each sex. Medical journal.

(2.) The medical journal in the case of single patients shall be in the Form 4 in the schedule.

5. The register of mechanical restraint shall be in the Form 5 in the schedule, and at the beginning of it a printed copy of the regulation made by the Commissioners in Lunacy as to mechanical restraint shall be inserted. Register of mechanical restraint.

* 53 & 54 Vict. c. 5.

† 54 & 55 Vict. c. 65.

Register of
boarders.

6. The register of voluntary boarders shall be in the Form 6 in the schedule.

Post-mortem
book.

7. The post-mortem book shall be in the Form 7 in the schedule.

Notices to be
sent on recep-
tion.

8.—(1.) The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house shall, immediately on the reception of a person as a lunatic, make an entry with respect to such lunatic in the register of patients according to the form prescribed therein, and containing the particulars therein specified, except as to the form of mental disorder, and the bodily condition and name of disease (if any).

(2.) The entries as to the form of mental disorder and the bodily condition and name of disease (if any) shall be supplied by the medical officer of every asylum, hospital, or house within seven days after the reception of a patient.

(3.) The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house shall, in the case of a person not a pauper, within one clear day, and in the case of a pauper, and of a criminal lunatic, after the second and before the end of the seventh day after the patient's admission, send to the Commissioners a notice of admission, and also copies of the reception order and of the medical certificate or certificates upon which the same was made, and in the case of reception orders upon petition copies of the petition and statement of particulars; and shall, in every case after the second and before the end of the seventh clear day after the patient's admission, send to the Commissioners a medical statement to be made and signed by the medical officer of the institution. Where a patient has been admitted under an urgency order, which is followed by a reception order made on petition, a copy of such last-mentioned order, together with copies of the petition and certificates on which it was made, shall be transmitted by the same persons respectively to the Commissioners within one clear day after the same order has been obtained.

(4.) In the case of a pauper and of a criminal lunatic, the notice of admission and statement shall be in the Form 8 in the schedule, and in the case of a private patient, the notice of admission shall be in the Form 9, and the medical statement shall be in the Form 10 in the schedule.

(5.) The resident licensee of every licensed house, within the jurisdiction of visitors, shall also within the times limited by this rule, send the like documents to the clerk of the visitors.

(6.) The superintendent of every hospital and the resident licensee of every licensed house shall within one clear day after the reception of a voluntary boarder send to the Commissioners notice of such reception, according to Form 11 in the schedule;

and shall also, within the same period of his death or leaving the hospital or house, send them notice thereof.

(7.) Every person who has charge of a single patient shall, within the times limited by this rule as regards patients not paupers, send to the Commissioners the like documents concerning such single patient, and shall, with the notice of admission, send a statement of the Christian name and surname and occupation of the occupier of the house, and of the person who has charge of the patient. The medical statement shall be made and signed by the medical practitioner who visits the patient, and who shall therein state his address.

(8.) The clerk of every asylum and the superintendent of every hospital shall, in the case of a patient admitted as a criminal lunatic, but subsequently detained as a pauper lunatic under an order of a justice made under the Acts relating to criminal lunatics, send to the Commissioners, some day not less than two clear days, nor more than seven clear days, after the patient has ceased to be a criminal, a notice thereof in Form 12, together with a copy of the justices' order for continued detention (which for the purpose of Section 38 of the Lunacy Act, 1890, and Section 7 of the Lunacy Act, 1891, is the reception order), and shall within the same limits of time send to the Commissioners a statement to be made and signed by the medical officer of the asylum or hospital.

9. The report to be sent to the Commissioners by the medical officer of every institution for lunatics, and the medical attendant of every single patient, at the expiration of one calendar month after the reception of a private patient, shall be in the Form 13 in the schedule.

Form of report to be sent at the end of a month after reception.

10. The entries in the medical journal, case books, and post mortem book, to be kept in every institution for lunatics shall be made by the medical officer thereof, or by an assistant medical officer under his supervision and control, and every such entry shall be signed or initialed by the person making the same.

Who to keep medical journal and case books.

11. The prescribed entries in the medical journal to be kept in institutions for lunatics shall be made once in every week, or, in the case of a licensed house at which visits by a medical practitioner at more distant intervals than once a week are permitted, at each visit.

How often entries to be made in medical journal.

12. Within seven days after the admission of a patient there shall be entered in the medical case book for patients the following particulars :—

Entries in case books in asylums, hospitals, and licensed houses.

(a) A statement of the name, age, sex, and previous occupation of the patient, and whether married, single, or widowed, and a copy of the statement of facts contained in the medical certificates accompanying the reception order.

- (b) An accurate description of the external appearance of the patient upon admission :—of the habit of body, and temperament ; appearance of eyes, expression of countenance, and any peculiarity in form of head ; physical state of the vascular and respiratory organs, and of the abdominal viscera, and their respective functions ; state of the pulse, tongue, skin, &c. ; and the presence or absence, on admission, of bruises, or other injuries.
- (c) A description of the phenomena of the mental disorder :—the manner and period of the attack, with a minute account of the symptoms, and the changes produced in the patient's temper or disposition ; specifying whether the malady displays itself by any, and what delusions, or irrational conduct, or morbid or dangerous habits or propensities ; whether it has occasioned any failure of memory or understanding ; or is connected with epilepsy, or ordinary paralysis or general paralysis.
- (d) Every particular which can be obtained respecting the previous history of the patient :—what are believed to have been the predisposing and exciting causes of the attack ; what were the previous habits, whether active or sedentary, temperate or otherwise ; whether the patient has experienced any former attacks and, if so, at what periods ; whether any relatives have been subject to insanity or other nervous disease, or phthisis : whether the present attack was preceded by any and what premonitory symptoms ; and whether the patient has undergone any, and what, previous treatment, or has been subjected to restraint of personal liberty.

How often
entries to be
made in case
book.

13. Subsequent entries describing the course and progress of the case, and recording the medical and other treatment, with the results, shall be made in the case book for patients at the times herein-after mentioned, that is to say ; once at least in every week during the first month after reception, and oftener when necessary ; afterwards, in recent or curable cases, once at least in every month, and in chronic cases, subject to little variation, once in every three months. But all special circumstances affecting the patient, including seclusion and mechanical restraint, and all accidents and injuries, must be at once recorded. A printed copy of this and the last preceding rule shall be inserted at the beginning of every case book for patients.

Entries in case
book for volun-
tary boarders.

14. In the case book for voluntary boarders for treatment there shall within seven days after reception be made an entry giving the name, age, sex, previous occupation, and residence of the boarder, and a full and accurate description of his mental and bodily condition.

Institutions for Lunatics:—Reports and Returns. 41

Entries describing the course and progress of the case shall be subsequently made at the same intervals as are prescribed by the foregoing rule for patients.

15. The medical officer of every institution for lunatics shall, whenever so required by the Commissioners, send to them correct copies of all the entries, or of any particular entries or entry, in the case of post mortem books relative to any specified patient or boarder, who is, or may have been, confined or resident in the institution.

Copies of case book or other entries.

16.—(1.) The medical attendant of a single patient shall, as soon as possible after the admission of the patient, enter on blank pages to be left at the beginning of the medical journal a sketch of the previous history of the case and full particulars of the mental and bodily condition of the patient on admission.

Duties of medical attendant of single patient.

(2.) Such medical attendant shall also at each visit enter in the medical journal the date of the visit and full particulars of the mental and bodily condition of the patient, and all the other particulars indicated in Form 4.

(3.) If the Commissioners allow a single patient to be visited less often than once in every two weeks, and the patient is in the charge of a medical practitioner, such practitioner shall once at least in every two weeks enter in the medical journal the particulars prescribed in the last-preceding sub-section, together with the date of the entry.

(4.) Every entry to be made under this rule shall be signed by the person who makes the same.

17. Every medical practitioner who visits a single patient, or under whose charge a single patient is, shall on the tenth of January, or within seven days from that time, in every year, report in writing to the Commissioners the state of health, bodily and mental, of the patient, with such other circumstances as he may deem necessary to communicate.

Medical reports upon single patients.

18. The superintendent of every asylum and hospital, the resident licensee of every licensed house, and every person having charge of a single patient, shall at the end of every quarter send to the Commissioners a copy of every entry in the register of mechanical restraint made during the quarter. If no restraint has been used during the quarter, a return to that effect shall be made.

Copies of entries in register of mechanical restraint.

19. The register of voluntary boarders to be kept in hospitals and licensed houses shall be kept by the superintendent or resident licensee thereof.

Who to keep register of voluntary boarders.

20. The superintendent of every hospital and the resident licensee of every licensed house shall prepare and keep up accurate lists of the private patients and boarders for the time being on the books of the hospital or house, with the rates of payment made for the maintenance and care and

Schedule of rates of payments for private patients and boarders.

treatment of such patients and boarders respectively; and such lists shall be at all times accessible to the Commissioners or Commissioner visiting the hospital or house, and, in the case of a house licensed by justices, to the visitors of such house.

Transfer of
patients and
leave of
absence.

21.—(1.) When application is made to the Commissioners for their consent to the transfer of a private patient from one institution for lunatics to another, or to or from single care, the medical officer of the institution from which the patient is to be removed, or the medical attendant of the single patient, shall furnish the Commissioners with a report as to the patient's mental and bodily condition, and fitness for transfer, and especially as to whether he is suicidal or dangerous to others.

(2.) When application is made for the grant by the Commissioners, or by visitors, of leave of absence of a private patient from an institution for lunatics, or of a single patient from the house in which he is received, either for the benefit of the patient's health or on trial, it shall be accompanied by a recommendation from the medical officer of the institution or the medical attendant of the patient.

Entries to be
made on
removal,
discharge, or
death.

22. The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house, shall, within two clear days after the removal, discharge, death, or transfer from the private to the pauper class, or *vice versâ* of any patient make an entry thereof in the register of patients, and also in the register of removals, discharges, and deaths, according to the form prescribed therein respectively, and in the case of deaths an entry shall be made also in the medical journal by the medical officer.

Notices to be
sent on
removal,
discharge,
escape, and
recapture.

23.—(1.) The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house, and the person having charge of a single patient, shall, within two clear days after the removal, discharge, escape, or recapture of a patient, or his transfer from the private to the pauper class, or *vice versâ*, send written notice thereof to the Commissioners, and also, in the case of a lunatic so found by inquisition, to the Chancery visitors.

(2.) In the case of a licensed house within the jurisdiction of any visitors, the like notice shall, within the time aforesaid, also be sent by the resident licensee of the house to the visitors.

(3.) Notices of removal and discharge shall be in the Forms 14 and 15 in the schedule. Notices of escape and recapture shall be in the Forms 16 and 17 in the schedule. Notice of transfer from the private to the pauper class or *vice versâ* shall be in Form 18 in the schedule.

(4.) Where upon the discharge of a pauper lunatic from an institution for lunatics the medical officer of the institution

certifies under Section 25 of the Lunacy Act, 1890, that the lunatic has not recovered, and is a proper person to be kept in a workhouse as a lunatic, a copy of the certificate shall accompany the notice of discharge.

24.—(1.) The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house, shall, within two clear days after each visit of one or more of the Commissioners, send to the Commissioners, and in the case of a house licensed by justices, also to the clerk of the visitors, copies of all entries made by any visiting Commissioner or Commissioners at such visit in the visitors' book or patients' book of the institution.

Notices to be sent of entries on visitation.

(2.) The resident licensee of every licensed house shall also, within two clear days after each visit by any visitor, send to the Commissioners and to the clerk to such visitors a true and perfect copy of all entries made by such visitors at such visit in either of the last-mentioned books.

25. The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house, shall, within two clear days after the dismissal for misconduct of any person employed in connexion with the care of the patients therein, send notice in writing to the Commissioners of the dismissal and its cause.

Notice of dismissal of servants.

26. With respect to patients whose reception orders were dated on or prior to the first day of February 1890, the special reports and certificates under Section 38 of the Lunacy Act, 1890,* and Section 7 of the Lunacy Act, 1891,† shall be included in one list, and shall be furnished according to Form 19 in the schedule; and with respect to patients whose reception orders are dated subsequently to the first day of February 1890, a special report and certificate under the above-mentioned enactments shall be made and signed for each such patient in Form 20 in the schedule.

Special reports and certificates.

27.—(1.) In case of the death of a patient, notice thereof, together with a statement relating thereto, shall, within forty-eight hours of the death, be sent by the manager of the institution for lunatics in which the patient died, or, in the case of a single patient, by the person having charge, to the coroner of the district.

Statement and notice as to death.

(2.) The notice in the case of a death in an asylum shall be prepared and signed by the clerk, and the statement shall be prepared and signed by the superintendent, and in any other case the notice and statement shall be prepared and signed by the medical superintendent, or the medical attendant, or the medical person or persons who attended the patient in his last illness, and such notice and statement respectively shall be in the Form 21 in the schedule.

* 53 & 54 Vict. c. 6.

† 54 & 55 Vict. c. 65.

(3.) In the case of a lunatic dying in an institution for lunatics, the medical officer of the institution shall, within two clear days after the death, enter or cause to be entered a copy of the foregoing statement in the case book, and in the case of a single patient the person having charge of him shall within the like period, enter a copy of the statement in the medical journal.

(4.) The clerk of the asylum, the superintendent of the hospital, the resident licensee of the house, or, in the case of a single patient, the person who had charge, shall, within forty-eight hours of the death of a patient, send a like notice and statement—

- (a) To the Commissioners ;
- (b) To the relation or one of the relations named in the statement accompanying the order for the reception of the patient, or, if none be known, to the person named for the purpose in such statement ;
- (c) To the registrar of deaths for the district ;
- (d) In the case of a licensed house within the jurisdiction of any visitors, also to the clerk of the visitors ;
- (e) In the case of a lunatic so found by inquisition, also to the Chancery visitors ;
- (f) If the patient was not a pauper, also to the person upon whose petition the order for admission of the patient was made, or who made the last payment on account of the patient.
- (g) If the patient was a pauper, also to the clerk to the guardians of the union, or the clerk of the local authority to which the patient was chargeable.

Notice of
change in
medical staff.

28. The clerk of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house, shall, within seven days after the happening thereof, send to the Commissioners notice of every change in the medical staff of such institutions respectively.

Half-yearly
lists of patients
in asylum to
be made up.

29.—(1.) The clerk of every asylum shall, on the first of January and the first of July in every year, prepare a list, made up to those dates, of all pauper lunatics then in the asylum, according to the Form 22 in the schedule.

(2.) Within fifteen days after the list is prepared, the clerk shall lay a copy before the committee of visitors, and shall send a copy to the Commissioners, and to the clerk of each local authority to which the asylum belongs, to be laid before the local authority.

(3.) The clerk of every asylum receiving private patients shall, on the first of January and the first of July in every year, prepare a list made up to those dates, containing the Christian names and surnames of all the private and criminal patients then in the asylum, according to the Form 23 in the schedule ; and shall, within fifteen days after the list is prepared, send a copy to the Commissioners ; and shall, within the same time, transmit to the clerk of each such local

authority, to be laid before it, a certificate under his hand of the number of private and criminal patients of each sex.

30. The clerk to the committee of visitors of every asylum shall, within twenty-one days after their annual report has been laid before the local authority by the committee of visitors, transmit a copy to the Commissioners.

Report of visiting committee to be sent to Commissioners.

31. The medical superintendent of every asylum, the superintendent of every hospital, and the resident licensee of every licensed house receiving pauper lunatics shall, half-yearly, on the first day of January and the first day of July, send to the guardians of every union a statement of the mental and bodily condition of every pauper lunatic chargeable to the union.

Statement of condition of pauper lunatics.

32.—(1.) In the case of pauper lunatics not in an institution for lunatics, the medical officer of every district of a union and of every workhouse shall, within seven days after every thirty-first of March, thirtieth of June, thirtieth of September, and thirty-first of December, make a return of all such lunatics visited by him during the preceding quarter; or if there were no such lunatics within the district or workhouse of which he is medical officer, shall make a return to that effect.

Quarterly return of pauper lunatics not in an institution for lunatics.

(2.) Such returns shall be in the Forms 24 and 25 in the schedule, and shall, within the time aforesaid, be delivered or sent to the clerk to the guardians of the union to which the return relates.

(3.) The clerk receiving the return shall, within two clear days after receipt thereof, make a copy thereof, and shall, within the same period, send the return to the Commissioners, and the copy to the clerk to the committee of visitors of the asylum for the county or borough in which the union for which he is clerk is wholly or partly situate.

33. The clerk of the board of guardians of every union shall, on the first of January in every year, or as soon after as possible, make out and sign a complete list or lists in the Form 26 in the schedule, made up to that date, of all lunatics chargeable to the union, giving, when necessary, in a separate sheet, a list of the lunatics chargeable to each part of the union which is situate in the area of a different local authority, as defined by the Lunacy Act, 1890,* Section 240; and shall, on or before the first of February following, send copies of the lists to the following authorities:—

Annual return by clerks to boards of guardians.

- (a) The Local Government Board;
- (b) The Commissioners;
- (c) The committee of visitors of the asylum of the county or borough, or each county or borough, in which the union is wholly or partly situate;
- (d) The clerk of the local authority within the area whereof the union is wholly or partly situate, to be laid before the local authority.

Entries and returns to be clear and distinct.

34. All entries to be made under these rules shall be made in a manner so clear and distinct as to admit of being easily referred to and extracted whenever the Commissioners shall so require, and all notices shall be sent on white paper of foolscap size.

Returns and information to be furnished by managers.

35. The manager of every institution for lunatics, and the clerk of every asylum, shall furnish to the Commissioners, at such times and in such form as they may from time to time prescribe, such annual and other returns and information of or in any way relating to the institution, or the patients of or boarders in the institution, as the Commissioners may, in their discretion, require.

Applications for licences.

36.—(1.) Every applicant for a license for a house in substitution for a house already licensed shall, at least thirty clear days before a quarterly or other meeting of the Commissioners, or before a quarter or special sessions of the licensing justices, give notice of the application—

- (a) If the house is within the immediate jurisdiction of the Commissioners, to the Commissioners;
- (b) If elsewhere, to the clerk of the peace for the county or borough in which it is situate, and also to the Commissioners.

(2) The notice shall contain—

- (a) The Christian name and surname, place of abode, and occupation of the proposed licensee;
- (b) The Christian name and surname of the person who is to reside in the house; and a full description of the estate or interest therein of the proposed licensee.

(3) The applicant shall send with his notice the following documents:—

- (a) A plan of the house and all buildings to be included in the licence, drawn upon a scale of eight feet to an inch, with a description of the situation of the house, and the length, breadth, and height of, and a reference by a figure or letter to, every room therein, distinguishing the rooms to be appropriated to patients from those to be occupied by the family and domestic servants of the resident licensee; also a plan of the drains and a statement as to the mode of disposal of the sewage, and as to the water supply.
- (b) A statement of the quantity of land not covered by building annexed to the house, and appropriated to the exclusive use, exercise, and recreation of the patients, with a plan thereof drawn to the scale of 100 feet to an inch,
- (c) A statement of the number of patients of each sex to be received and of the means by which the sexes are to be kept apart.

(4.) The notice and accompanying documents when sent to a clerk of the peace shall by him be laid before the justices when they consider the application for the licence,

37.—(1.) Every person applying for a renewal of a licence shall at least 14 clear days before a quarterly or other meeting of the Commissioners, or before a quarter or special sessions of the licensing justices, give notice, in the case of a house licensed by the justices, both to the Commissioners and to the clerk of the peace for the county or borough, and, in the case of a house, licensed by the Commissioners, to the Commissioners, of the application for renewal, accompanying his notice with a statement signed by the applicant containing the names and number of the patients of each sex then detained in such house, and distinguishing between private and pauper patients.

On renewal of licence, statement to be furnished of the number and class of patients detained.

(2.) Copies of all entries made since the last renewal of the licence by the visiting Commissioners in the visitors' book of a house licensed by justices shall be laid before the justices upon every application for a renewal of the licence.

38.—(1.) Before any alteration or addition is made to, in, or about a licensed house, or its appurtenances, the licensee shall send notice in writing of the proposed alteration or addition to the Commissioners, and, in the case of a house licensed by justices of a county or borough, also to the clerk of the peace of the county or borough.

Notice of alterations and additions to licensed houses.

(2.) Such notices shall be accompanied by full descriptions of the proposed alteration or addition, with plans drawn to a scale of eight feet to an inch.

39.—(1.) With every application for the registration of a hospital for the reception of lunatics the following plans shall be sent to the Commissioners:—

Plans of hospitals.

- (a) A general plan, to the scale of 100 feet to an inch, of the land proposed to be occupied with the hospital, with a block plan of the buildings drawn thereon, and showing the positions and area of the exercise grounds, gardens, and roads of approach.
- (b) Plans of the basement, ground, and every other floor of the principal buildings and offices, and also of the roofs, with the dimensions of the rooms and the thickness of the walls.
- (c) Elevations of the fronts and sides of the principal buildings and offices,
- (d) Transverse and longitudinal sections sufficient to show the heights of the various rooms in the buildings.
- (e) A general plan showing the course of the drains and the manner in which the sewerage will be disposed of.

(2.) The plans (b) to (e) inclusive shall be drawn to a scale of eight feet to an inch.

(3.) There shall also be furnished with every application a concise description of the hospital buildings, with the number of patients and boarders to be received therein, and of the systems of heating, lighting, and ventilation adopted, and of the water supply; and the plans shall show the manner in

which the various portions of the buildings are to be appropriated to the different classes and sexes of patients to be received.

Notice of alterations and additions to hospitals.

40.—(1.) Before any alteration or addition is made to, in, or about any hospital, the superintendent shall send notice in writing of the proposed alteration or addition to the Commissioners.

(2.) Every such notice shall be accompanied by plans and descriptions similar to those specified in the last preceding rule.

Hospitals already registered to furnish plans.

41. The Commissioners may require the superintendent of any hospital to furnish, at the cost of the hospital, such plans of all or any of the buildings used for the purposes of the hospital as, being of the description hereinbefore specified, the Commissioners may think fit.

Abstracts of hospital accounts to be sent to Commissioners.

42. The superintendent of every hospital shall within one calendar month next after the accounts of the hospital shall have been submitted to the Charity Commissioners, or have been audited, send to the Commissioners an abstract of the accounts in such form as the Commissioners shall from time to time prescribe. He shall also, within a month after its publication, send to them a printed copy of the annual report of the hospital.

43. These rules shall come into operation on the first day of September One thousand eight hundred and ninety-five, on which day the rules of the 29th March, 1890,* shall cease to have effect.

* Published in Statutory Rules and Orders, 1890, p. 796-814.

THE SCHEDULE.

FORM 1.

REGISTER OF PATIENTS.

Date of last previous Admission, if any.		No. in Order of Admission.		Date of admission.		Date of Reception Order.		Date of continuation of Reception Order.		Christian and Surname at Length.		Sex.		Age.		Condition as to Marriage.		Widowed.		Single.		Married.		Condition of Life, and previous Occupation.		Previous Place of Abode.		Union or County, or Borough to which chargeable.		By whose Authority sent.		Dates of Medical Certificates, and by whom signed.		Form of Mental Disorder.		Supposed Cause of Insanity.		Bodily Condition, and Name of Disease, if any.		Epileptic.		Congenital Idiot.		Years.		Months.		Weeks.		Duration of existing Attack.		Number of previous Attacks.		Age on first Attack.		Date of Removal, Discharge or Death.		Recovered.		Relieved.		Not Improved.		Removed or Discharged.		Died.		Observations.	
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FORM 3.

MEDICAL JOURNAL TO BE KEPT IN ASYLUMS, HOSPITALS, AND LICENSED HOUSES.

Date.	Number of Patients.		Patients who are or since the last Entry have been in Seclusion, when, and for what Period, and Reasons.		Patients under Medical Treatment, and for what, if any, Bodily Disorder.		Deaths, Injuries, and Violence to Patients, since the last Entry.
	Males.	Females.	Males.	Females.	Males.	Females.	

FORM 4.

MEDICAL JOURNAL FOR SINGLE PATIENTS.

Date.	Mental Condition ; what Evidence of Insanity ? Any and what change since last Visit.	Bodily Health and condition.	Seclusion since last visit ; when and for how long.	Visits of Friends ; date of visit ; name of Friend.	State of House and Furniture, Bed and Bedding. Supply and condition of wearing apparel.	Is the Dietary proper ? If not, state in what respect.	Employment, exercise, and amusements.

FORM 5.

REGISTER OF MECHANICAL RESTRAINT.

Date.	Names of Patients.		Means of Restraint employed.	Duration in Hours.	Certificate of Medical Superintendent, or Medical Attendant, stating Grounds upon which the Restraint was employed.
	Males.	Females.			
					<p>I certify that restraint was employed in this case on the following grounds :—</p> <p>(Signed) Medical Superintendent or Medical Attendant.</p>

FORM 6.

REGISTER OF VOLUNTARY BOARDERS.

Date of Reception into Institution.	Names, Occupation, and Residence of Boarders.		Term for which Residence is permitted.	Extended Term and Date of Consent to the Extension.	Names of Commissioners or Justices consenting to Reception, or Extension of Term, where such Consent necessary.	Reception, whether for Treatment, or as Relative or Friend of a Patient.	Date of Death or of leaving the Institution.
	Males.	Females.					

FORM 7.

[Name of Asylum, Hospital, or Home.]

POST MORTEM NOTES.

Name and number in Register of Patients
Sex, age, and previous occupation
Date of admission
Date of death .
Form of mental disorder { on admission
 at death
Certified cause of death
Case book. Vol. , page
Date and hour of post mortem examination

Condition of body and external
appearances, and whether or }
not bedsores present

Head

Thorax (describe condition of ribs)

Abdomen

Weights of Organs

Microscopic appearances and any special notes

(Signed)

[These headings may be added to and the spaces increased or diminished according to the judgment of superintendents.]

FORM 8.

[Name of Asylum, Hospital, or House.]

NOTICE OF ADMISSION.

Date of reception order, the day of

I hereby give you notice that was admitted into this
asylum [or hospital or house] as a pauper [or criminal] patient on the
 day of , and I hereby transmit a copy of the
order and statement of particulars and medical certificates on which he
[or she] was received.

Subjoined is a statement with respect to the mental and bodily condition of the patient.

(Signed)

Clerk or Medical Superintendent, or
Resident Licensee,

Dated the day of
To the Commissioners in Lunacy
[or as the case may be].

STATEMENT.

I have this day [*some day not less than two clear days, nor more than seven clear days, after the admission of the patient*] seen and examined the patient mentioned in the above notice, and hereby certify that with respect to mental state he [or she] [*describing it*] and with respect to bodily health and condition he [or she] [*describing it*].

Dated the day of

(Signed)

Medical Officer.

FORM 9.

[Name of Asylum, Hospital, or House.]

NOTICE OF ADMISSION.

Date of reception order, the day of

I hereby give you notice that was admitted into this asylum [*or hospital or house*] as a private patient on the day of , and I transmit [a copy of the urgency order and medical certificate or] a copy of the order and medical certificates and of the petition and statement of particulars on which he [or she] was received.

A statement with respect to the mental and bodily condition of the above-named patient will be forwarded in due course.

(Signed)

Clerk, or Medical Superintendent or Resident Licensee.

Dated the day of
To the Commissioners in Lunacy
[or as the case may be].

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FORM 10.

[Name of Asylum, Hospital, or House.]

MEDICAL STATEMENT.

I have this day [some day not less than two clear days nor more than seven clear days after the admission of the patient] seen and examined , admitted into this asylum [or hospital or house] on the day of , and hereby certify that with respect to mental state he [or she] [describing it] and with respect to bodily health and condition he [or she] [describing it].

Dated the day of

(Signed)

Medical Officer.

To the Commissioners in Lunacy
[or as the case may be].

FORM 11.

[Name of Asylum, Hospital, or House.]

NOTICE OF ADMISSION OF BOARDER.

I hereby give you notice that was received into this hospital [or house] on the day of as a voluntary boarder, for treatment [or as a relative or friend of a patient]

(Signed)

Medical Superintendent, or Resident Licensee.

Dated the day

To the Commissioners in Lunacy.

FORM 12.

[Name of Asylum or Hospital.]

NOTICE OF TRANSFER FROM THE CRIMINAL TO THE PAUPER CLASS.

Date of reception order, the day of I hereby give you notice that , who was received into this asylum (or hospital) as a criminal lunatic on the was on the transferred to the pauper class, and I herewith transmit a copy of the justice's order on which he is detained.

Subjoined is a statement with respect to the mental and bodily condition of the patient.

(Signed)

Clerk or Superintendent.

Dated the days of ,

To the Commissioners in Lunacy.

I have this day [some day not less than two clear days, nor more than seven clear days, after the patient has ceased to be a criminal] seen and examined the patient mentioned in the above notice, and hereby certify that with respect to mental state he [or she] [describing it] and with respect to bodily health and condition he [or she] [describing it].

Medical Officer.

I have this day seen and examined
received here on the day of
and report that with respect to mental condition he is
bodily condition he is , and that with respect to

Medical Officer, or Medical Attendant.

To the Commissioners in Lunacy.

Date of reception order, the _____ day of _____
 I hereby give you notice that _____, a private [or pauper or
 criminal] patient received into this asylum [or hospital or licensed house
 or house] on the _____ day of _____, was, on the
 _____ day of _____, removed to
 relieved [or not improved] by the authority of _____

Clerk, or Superintendent, or Resident Licensee, or the person having charge of the said lunatic as a single patient.

Dated the _____ day of _____
To the Commissioners in Lunacy
[or as the case may be].

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FORM 15.

[Name of Asylum, Hospital, or House.]

NOTICE OF DISCHARGE.

Date of reception order, the day of

I hereby give you notice that , a private
[or pauper, or criminal] patient, received into this asylum [or hospital
[or licensed house or house] on the day of
was discharged therefrom recovered [or relieved or not improved] on the
day of , by the authority of

(Signed)

Clerk, or Superintendent, or Resident
Licensee, or the person having charge
of the said lunatic as a single patient.

Dated the day of

To the Commissioners in Lunacy
[or as the case may be.]

FORM 16.

[Name of Asylum, Hospital, or House.]

NOTICE OF ESCAPE.

I hereby give you notice that , private [or pauper or
criminal] patient received into this asylum [or hospital or licensed
house or house] on the day of , escaped therefrom
on the day of

The state of mind of the patient at the time of his escape was as follows
[describe it.]

The circumstances and manner of the escape were as follows [state
them.]

(Signed)

Clerk, or Superintendent, or Resi-
dent Licensee, or the person having
charge of the said lunatic as a single
patient.

Dated the day of

To the Commissioners in Lunacy
[or as the case may be].

FORM 17.

[Name of Asylum, Hospital, or House.]

NOTICE OF RECAPTURE.

I hereby give you notice that , a private [or pauper or
criminal] patient who was received into this asylum [or hospital or

licensed house *or* house] on the day of and escaped there from on the day of , was on the day of recaptured under the following circumstances [*state them*].

(Signed)

Clerk, *or* Superintendent, *or* Resident Licensee, *or* the person having charge of the said lunatic as a single patient.

Dated the day of
To the Commissioners in Lunacy
[*or as the case may be*].

FORM 18.

[Name of Asylum, Hospital, or House.]

NOTICE OF TRANSFER FROM PRIVATE TO PAUPER CLASS OR VICE VERSA.

I hereby give you notice that admitted into this asylum [hospital *or* house] as a private [*or* pauper] patient on the day of , was on the day of transferred to the pauper [*or* private] class.

Dated the day of

(Signed)

Clerk, *or* Superintendent, *or* Resident Licensee.

To the Commissioners in Lunacy.

FORM 19.

[Name of Asylum, Hospital, or House.]

SPECIAL REPORTS and CERTIFICATES as to Patients admitted under Orders dated Three Months or more prior to May 1, 1890.

(LUNACY ACT, 1890, SECTION 38 ; LUNACY ACT, 1890, SECTION 7.)

Note.—Male and female patients must be returned in separate lists. The names must be in alphabetical order of the initial letters, and those of each initial in order of date of admission.

Date of Admission.	Dates of Reception. Orders.	Names of Patients.	Report as to Mental Condition.	Report as to Bodily Condition.

I certify that all the patients named on this sheet are still of unsound mind, and proper persons to be detained under care and treatment.

(Signed)
Dated the day of
To the Commissioners in Lunacy.
Medical Officer.

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FORM 20.

(Private or Pauper.)

[Name of Asylum, Hospital, or House.]

SPECIAL REPORT AND CERTIFICATE.

(LUNACY ACT, 1890, SECTION 38 ; LUNACY ACT, 1891, SECTION 7.)

No.*

Name of patient

Date of admission

Date of reception order

*(For use by
Commissioners
in Lunacy only.)

I have this day seen and examined the above-named patient, and beg to report that with regard to mental condition, he [or she] is and with regard to bodily condition, he [or she] is and I hereby certify that he [or she] is still of unsound mind, and a proper person to be detained under care and treatment.

(Signed)

Medical Officer.

Dated the day of

To the Commissioners in Lunacy.

FORM 21.

[Name of Asylum, Hospital, or House.]

NOTICE OF DEATH.

Date of reception order, the day of

I hereby give you notice that , a private [or pauper] patient received into this asylum [or hospital or house] on the day of , died therein on the day of

(Signed)

Clerk of Asylum or Medical Officer
of Hospital, or House, or Medical
Attendant of the patient.

Dated the day of

To the Commissioners in Lunacy
[or as the case may be].

STATEMENT RESPECTING THE ABOVE-NAMED PATIENT.

Name

Sex and age

Married, single, or widowed

Profession or occupation

Place of abode immediately before
being placed under care and treat-
ment (if known) }

Apparent cause of death

Whether or not ascertained by post-
mortem examination }

Time and any unusual circumstances
attending the death; also a descrip-
tion of any injuries known to exist
at time of death or found subse-
quently on body of deceased }

Duration of disease of which patient died
 Names and description of persons }
 present at the death }
 Whether or not mechanical restraint }
 was applied to deceased within seven }
 days previously to death, with its }
 character and duration if so applied. }

(Signed)

Medical Officer of Asylum, or
 Hospital, or House, or Medical
 Attendant of patient.

 FORM 22.

NAMES of all [male] or [female], *as the case may be*, pauper lunatics in the
 asylum at _____ for the county [or borough, &c., *as the case may*
be], of _____ on the 1st day of January or July .

Notes.—Male and female patients must be returned in separate lists.
 The names must be in alphabetical order of the initial letters, and those of
 each initial in order of date of admission.

Names of those chargeable to a Union.	Name of Union to which chargeable.	Date of Admis- sion.	Names of those chargeable exclusively to County or Borough Fund.	Date of Admis- sion.	Names of those chargeable to Visitors of other Asylums.	Date of Admis- sion.

This is a correct list.

(Signed)

Clerk of the Asylum.

Dated the

day of

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FORM 23.

NAMES of all private and criminal lunatics in the asylum at _____, for
the county [or borough, etc., as the case may be], of _____ on
the _____ day of _____.

Note.—Male and female patients must be returned in separate lists. The names must be in alphabetical order of the initial letters, and those of each initial in order of date of admission.

Names of Private Patients.	Date of Admission.	Names of Criminal Patients.	Date of Admission.

This is a correct list.

(Signed)

Clerk of the Asylum.

Dated the _____ day of _____

FORM 24.

County of _____
Union [or Parish] of _____
District of _____

QUARTERLY LIST OF LUNATIC PAUPERS within the _____ district of
union of _____ [or the parish of _____], in the
county or borough of _____, not in any asylum, hospital,
or licensed house.

Name.	Sex.	Age.	Form of Mental Disorder.	Duration of present Attack of Insanity, and if Idiotic, whether or not from Birth.	Resident in Work-house.	Non-resident in Workhouse, where and with whom resident.	Date of Visit.	In what State as to Bodily and Mental Condition, Accommodation, and General Care and Management.	If Mechanically restrained during the Quarter, why, and by what Means, and how often and for how long.

I declare that I have personally examined the several persons whose names are specified in the above list on the days set opposite their names ; and I certify, first, with respect to those appearing by the above list to be in the workhouse, that the accommodation in the workhouse is sufficient for their reception, and that they are all [or, all except] proper patients to be kept in the workhouse ; and, secondly, with respect to those appearing by the above list to be resident elsewhere than in the workhouse, that they are all, [or all except], properly taken care of, and may properly remain out of an asylum.

I declare that the persons in the above list are, to the best of my knowledge, the only pauper lunatics in the district of the union of [or in the parish of] who are not in an asylum, hospital, or licensed house.

(Signed) A.B.,

Medical Officer of the district of
the union [or parish] of .

Dated the day of .

FORM 25.

County of

Union [or Parish] of

District of

I declare that to the best of my belief there has not during the quarter ending the day of , been any pauper lunatic residing in the district of the union of , [or in the parish of], who is not in an asylum, hospital, or licensed house.

(Signed)

Medical Officer.

Dated the day of .

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FORM 26.

FORM OF ANNUAL RETURN.

A TRUE LIST of all LUNATICS chargeable on the first of January to the union of [or parish of] or to such part thereof respectively as is situate (i.e., having their place of settlement) within the Administrative County of or the County-Borough of or the Borough (within the meaning of or as modified by Lunacy Act, 1890, ss. 240, 246, Schedule 4, and Lunacy Act, 1891, s. 13, and Schedule) of specifying the names, sex, and age of each, and where detained or residing.

N.B.—A separate sheet should be used for each part of the union or parish which is situate in a different county or borough.

Name.	Age.	Sex.	Where maintained.				Weekly Cost of Maintenance and Clothing.	Observations.
			In any and what County or Borough Asylum, including Patients out on Trial, but excluding those boarded out.	Boarded out with Relatives or Friends under the Lunacy Act, 1890, section 57.	In any and what Hospital or Licensed House, including Patients out on Trial, or leave.	In the Workhouse.	Residing with Relatives, or others, where, and with whom by Name.	

Signed by me the day of A.B.

Clerk to the Board of Guardians of the said union.

Sealed with the common seal of the Commissioners in Lunacy by order of the Board in the presence of }

(L.S.)

G. Harold Urmson,
Secretary.

19, Whitehall Place, London, S.W.,
the 26th day of June, 1895.

Approved,
Herschell, C.

(b.) Financial Statement.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED SEPTEMBER 15, 1892, PRESCRIBING THE FORM OF THE FINANCIAL STATEMENT TO BE SUBMITTED TO THE DISTRICT AUDITOR BY THE VISITING COMMITTEES OF COUNTY LUNATIC ASYLUMS, EXCEPT LANCASTER.*

To the County Councils of the several Administrative Counties in England and Wales, except the Administrative County of Lancaster *

* A special form of financial statement for the Lancashire Asylums Board was prescribed by order of March 24, 1893.

To the Visiting Committees of the several Lunatic Asylums belonging wholly or in part to any of the said County Councils;

To the District Auditors for the time being authorised to audit the Accounts of the said Visiting Committees respectively;—

And to all others whom it may concern.

Whereas by Section 18 of the Lunacy Act, 1891,* it is enacted that “the provisions of the Local Government Act, 1888,† relating to the accounts of county councils and their officers, and to the audit of such accounts, shall apply to the accounts of every asylum belonging wholly or in part to a county council and of the visiting committee and officers thereof”;

And whereas by Sub-section (3) of Section 71 of the Local Government Act, 1888,† it is enacted as follows:—

“The accounts of a county council, and of the county treasurer and officers of such council, shall be audited by the district auditors appointed by the Local Government Board in like manner as accounts of an urban authority and their officers under sections two hundred and forty-seven and two hundred and fifty of the Public Health Act, 1875,‡ and those sections and all enactments amending them, or applying to audit by district auditors, including the enactments imposing penalties and providing for the recovery of sums, shall apply in like manner as if, so far as they relate to an audit of the accounts of an urban authority and the officers of such authority, they were therein re-enacted with the necessary modifications, and accordingly all ratepayers and owners of property in the county shall have the like rights, and there shall be the same appeal as in the case of such audit. Provided that the first schedule to the District Auditors Act, 1879,§ shall be modified in manner described in the second schedule to this Act.”

And whereas by Section 3 of the District Auditors Act, 1879,§ it is enacted as follows:—

“Where the accounts of the receipts and expenditure of a local authority are audited by the district auditor, the local authority shall prepare and submit to the district auditor at every audit (other than any extraordinary audit held in pursuance of Section 6 of the Poor Law Amendment Act, 1866)|| a financial statement in duplicate, in the prescribed form and containing the prescribed particulars; one of such duplicates shall have the stamp charged under this Act affixed thereon, and the auditor at the conclusion of the audit shall cancel that stamp, and certify on each

* 54 & 55 Vict. c. 65. † 51 & 52 Vict. c. 41. ‡ 38 & 39 Vict. c. 55.
§ 42 & 43 Vict. c. 6. || 29 & 30 Vict. c. 113.

duplicate, in the prescribed form, the amount in words at length of the expenditure so audited and allowed, and further that the regulations with respect to such statement have been duly complied with, and that he has ascertained by the audit the correctness of the statement."

And whereas a visiting committee of a lunatic asylum belonging wholly or in part to a county council is a local authority within the terms of the last-cited section ;

Now, therefore, we, the Local Government Board, hereby Order and prescribe as follows with respect to each of the administrative counties in England and Wales, except the administrative county of Lancaster :—

Article 1.—The financial statement to be prepared and submitted to the district auditor in duplicate by the visiting committee of a lunatic asylum belonging wholly to the county council of any of the said administrative counties, as a local authority, in accordance with the provisions of the section last above cited, shall be in the Form A. in the schedule to this Order, and shall contain the particulars therein specified or referred to, except so far as we may assent to a departure from such form ; and the certificate of the district auditor to be appended to each such duplicate shall be in the form set forth at the foot of the said statement.

Article 2.—The financial statement to be prepared and submitted to the district auditor in duplicate by the visiting committee of a lunatic asylum belonging in part only to the county council of any of the said administrative counties, as a local authority, in accordance with the provisions of the section last above cited, shall be in the Form B. in the schedule to this Order, and shall contain the particulars therein specified or referred to, except so far as we may assent to a departure from such form ; and the certificate of the district auditor to be appended to each such duplicate shall be in the form set forth at the foot of the said statement.

Schedule.

FORM A.

LUNATIC ASYLUM BELONGING WHOLLY TO THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF _____.

Financial Statement.

THE DISTRICT AUDITORS ACT, 1879 (42 Vict. c. 6),

THE LOCAL GOVERNMENT ACT, 1888 (51 & 52 Vict. c. 41),
and

THE LUNACY ACT, 1891 (54 & 55 Vict. c. 65).

STATEMENT OF THE RECEIPTS AND EXPENDITURE of the Visiting Committee of the above-mentioned Lunatic Asylum during the Year ended the 31st March, 189 .

RECEIPTS.						
				£	s.	d.
Balance in hand at the commencement of the year						
Goods sold, namely :—				£	s.	d.
Farm and garden sales*						
Kitchen stuff and old stores						
Sundries						
Sums received on account of the maintenance of—				£	s.	d.
(a.) Pauper patients :						
From guardians of unions and parishes within the county at s. d. per head per week						
From guardians of other unions and parishes at s. d. per head per week						
From the treasurer of the county for patients adjudged chargeable thereto						
From the treasurer of the county under section 369 (9) of the Lunacy Act, 1890, in respect of accommodation at other asylums, not exceeding one-fourth of the entire weekly charge						
From the treasurers of non-contributory counties and boroughs at s. d. per head per week						
From the treasurers of non-contributory boroughs and of counties in respect of non-contributory boroughs for excess of weekly charge above ordinary rate (80 & 31 Vict. c. 106. s. 23						
From the treasurers of other asylums for patients received under contract or arrangement at s. d. per head per week						
Other receipts, if any, viz. :—						
(b.) Private patients						
(c.) Criminal patients :—				£	s.	d.
From Parliamentary Vote						
From private funds of patients or their friends						
Funeral and removal expenses :—						
From guardians of unions and parishes						
From treasurers of counties and boroughs						
Other receipts, specifying them :—†				£	s.	d.
TOTAL RECEIPTS						
Balance due at the end of the year, viz. :—						
TOTAL OF RECEIPTS AND BALANCES						

* This item should agree with the corresponding entry in the farming and gardening account (Part III. of this Statement).

† See note † on page 70.

Institutions for Lunatics:—Financial Statement. 67

MAINTENANCE ACCOUNT.

EXPENDITURE.		
Balance due at the commencement of the year	£ . s. d.	£ . s. d.
Salaries and wages (not including payments for labour appearing in the farming and gardening account, not comprised in the Building and Repairs Fund Account), namely :—		
Officers	£ . s. d.	
Attendants and others		
Provisions (including malt liquor in ordinary diet)		
Malt liquor, wine, and spirits (not included in ordinary diet)		
Farm and garden expenses *.		
Clothing—		
For patients	£ . s. d.	
For attendants		
Necessaries (including, fuel, lighting, and washing)		
Surgery and dispensary		
Furniture and bedding		
Funeral expenses		
Payments to treasurers of other asylums for patients under contract or arrangement		
Transfers to the Building and Repairs Fund Account, namely :—		
(a.) Excess of weekly charge on "out-county" patients	£ . s. d.	
(b.) " " private patients		
Payments to other local authorities, specifying them :—		
_____	£ . s. d.	

Other payments, specifying them :—		
_____	£ . s. d.	

TOTAL EXPENDITURE		
Balance in hand at the end of the year, viz:—		

TOTAL OF EXPENDITURE AND BALANCE	£	

* This item should include all the sums entered as paid in the farming and gardening account (Part III. of this Statement).

PART II.—BUILDING AND

RECEIPTS.	Moneys raised by means of Loans.		Other Moneys.	
	£	s. d.	£	s. d.
Balance in hand at the commencement of the year - - - - -				
Sums received from the treasurer of the county on account of—				
Ordinary repairs - - - - -				
Additions, alterations, and improvements (under 400l.) - - - - -				
New buildings and extraordinary outlay (voted by county council) - - - - -				
From other local authorities, specifying them:—				
£ s. d.				
Other receipts, specifying them:—				
Transfers from the Maintenance Account, namely:—				
(a.) Excess of weekly charge on "out county" patients - - - - -				
(b.) Excess of weekly charge on private patients - - - - -				
TOTAL RECEIPTS - - - - -				
Balance due at the end of the year - - - - -				
TOTAL OF RECEIPTS AND BALANCES - - - - -				

SUMMARY OF RECEIPTS IN PARTS I. AND II.

RECEIPTS:—	£	s. d.	£	s. d.
MAINTENANCE ACCOUNT - - - - -				
BUILDING AND REPAIRS FUND ACCOUNT:—				
Moneys raised by means of loans - - - - -				
Other Moneys - - - - -				
TOTAL - - - - -				
Less transfers from the Maintenance Account to the Building and Repairs Fund Account - - - - -				
TOTAL RECEIPTS - - - - -			£	

REPAIRS FUND ACCOUNT.

EXPENDITURE.	Out of Moneys raised by means of Loans.		Out of other Moneys.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance due at the commencement of the year	-	-	-	-
Summs paid on account of—				
Ordinary repairs	-	-	-	-
Additions, alterations, and improvements (under 400 <i>l.</i>)	-	-	-	-
New buildings and extraordinary outlay (voted by County Council)	-	-	-	-
Payments to other Local authorities, specifying them :—	£ s. d.			
Other payments, specifying them :—				
TOTAL EXPENDITURE	-	-	-	-
Balances in hand at the end of the year	-	-	-	-
TOTALS OF EXPENDITURE AND BALANCES	-	-	-	-

SUMMARY OF EXPENDITURE IN PARTS I. AND II.

EXPENDITURE—	£ s. d.	£ s. d.
MAINTENANCE ACCOUNT	-	-
BUILDING AND REPAIRS FUND ACCOUNT :—		
Out of moneys raised by means of loans	-	-
Out of other moneys	-	-
TOTAL	-	-
Less transfers from the Maintenance Account to the Building and Repairs Fund Account	-	-
TOTAL EXPENDITURE	£	

PART III.—FARMING AND

RECEIPTS.		
Sums received during the year from sales* -	£ s. d.	£ s. d.
Value of goods supplied to the asylum during the year, viz. :-		
Beef, mutton, pork, &c. -	£ s. d.	
Poultry and eggs -		
Milk, butter, and cheese -		
Potatoes and other vegetables -		
Other items, viz. :-		

Other receipts, specifying them :-†	£ s. d.	

TOTAL RECEIPTS -		
Value of stock at the end of the year -		
Balance (if any) against farm and garden -		
TOTAL -	£	

I HEREBY CERTIFY that I have compared the entries in this Financial that the regulations with respect to such Statement have been duly

I hereby further certify that I have ascertained by audit the correctness during the year ended the 31st day of March, 189 , included in such

* See note* on page 66.

† The items included under this heading, if cash receipts, should also be entered under the heading "Other Receipts," in the Maintenance Account (Part I. of this Statement).

GARDENING ACCOUNT.

EXPENDITURE.

	£	s.	d.	£	s.	d.
Value of stock at the commencement of the year						
Sums paid during the year in respect of—						
Labour (not that of patients)						
Provender						
Seeds and manures						
Stock, live and dead (bought)						
Other payments, specifying them:—						
_____			£			

TOTAL EXPENDITURE						
Balance (if any) in favour of farm or garden						
TOTAL						£

_____ Clerk of the Asylum.
 _____ day of _____, 189_____

TOTAL EXPENDITURE as shown in Summary of	£	s.	d.
Parts I. and II.			
AMOUNT DISALLOWED AT AUDIT			
AMOUNT ALLOWED AT AUDIT			

Statement with the Vouchers and other documents relating thereto, and complied with.

of such Statement, and that the expenditure of the visiting committee Statement, and allowed by me at the audit, is _____*

As witness my hand this _____ day of _____, 189_____.

Stamp.

District Auditor.

* Amount to be inserted in words at length.

Institutions for Lunatics :—Financial Statement. 73.

due.

UNDER-MENTIONED COUNT [AND BOROUGH], viz. :—

— [AND THE BOROUGH OF] —

Statement.

MENT ACT, 1888 (51 & 52 Vict. c. 41), and THE LUNACY ACT, 1891
Vict. c. 65).

of the above-mentioned Lunatic Asylum during the year ended the
189 .

MAINTENANCE ACCOUNT.

EXPENDITURE		£ s. d.	£ s. d.
Balance due at the commencement of the year -			
Salaries and wages (not including payments for labour appearing in the farming and gardening account, nor comprised in the building and repairs fund account), namely :—	£ s. d.		
Officers -			
Attendants and others -			
Provision (including malt liquor in ordinary diet) -			
Malt liquor, wine, and spirits (not included in ordinary diet) -			
Farm and garden expenses* -			
Clothing :—	£ s. d.		
For patients -			
For attendants -			
Necessaries (including fuel, lighting, and washing) -			
Surgery and dispensary -			
Furniture and bedding -			
Funeral expenses -			
Payments to treasurers of other asylums for patients under contract or arrangement -			
Transfers to the building and repairs fund account, namely :—	£ s. d.		
(a.) Excess of weekly charge on "out-county" patients -			
(b.) " " private patients -			
Payments to other local authorities, specifying them :—	£ s. d.		

Other payments, specifying them :—	£ s. d.		

TOTAL EXPENDITURE -			
Balance in hand at the end of the year, viz. :—			
TOTAL OF EXPENDITURE AND BALANCES -		£	

* This item should include all the sums entered as paid in the farming and gardening account.
(Part III. of this Statement).

PART II.—BUILDING AND

RECEIPTS.					Moneys raised by means of Loans.	Other Moneys.	
					£ s. d.	£ s. d.	£ s. d.
Balance in hand at the commencement of the year . . .							
Sums received from the treasurers of the contributory counties and boroughs, viz. :—							
Name of County or Borough.	On account of						
	Ordinary Repairs.	Additions, Alterations, and Im- provements (under 400£).	New Build- ings and Extra- ordinary Outlay.				
	£ s. d.	£ s. d.	£ s. d.	£ s. d.			
Totals . .							
From other local authorities, specifying them :—					£ s. d.		
Other receipts, specifying them :—							
Transfers from the maintenance account, namely :—							
(a.) Excess of weekly charge on "out-county" patients . . .							
(b.) " " private patients . . .							
TOTAL RECEIPTS.							
Balance due at the end of the year							
TOTALS OF RECEIPTS AND BALANCES.							

SUMMARY OF RECEIPTS IN PARTS I. AND II.

RECEIPTS :	£ s. d.	£ s. d.
MAINTENANCE ACCOUNT		
BUILDING AND REPAIRS FUND ACCOUNT :—		
Moneys raised by means of loans		
Other moneys		
TOTAL		
Less transfers from the maintenance account to the building and repairs fund account		
TOTAL RECEIPTS	£	

REPAIRS FUND ACCOUNT.

EXPENDITURE.	Out of Moneys raised by means of Loans.		Out of other Moneys.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Balance due at the commencement of the year - . . .				
Sums paid on account of—				
Ordinary repairs -				
Additions, alterations, and improvements (under 400 <i>l.</i>) -				
New buildings and extraordinary outlay -				
Payments to other local authorities, specifying them :—				
_____ | £ s. d.				

Other payments, specifying them :				

TOTAL EXPENDITURE -				
Balances in hand at the end of the year -				
TOTALS OF EXPENDITURE AND BALANCES . . .				

SUMMARY OF EXPENDITURE IN PARTS I. AND II.

EXPENDITURE :—	£ s. d.	£ s. d.
MAINTENANCE ACCOUNT -		
BUILDING AND REPAIRS FUND ACCOUNT :—		
Out of moneys raised by means of loans -		
Out of other moneys -		
TOTAL -		
Less transfers from the maintenance account to the building and repairs fund account -		
TOTAL EXPENDITURE	£	

PART III.—FARMING AND

RECEIPTS.		
	£ s. d.	£ s. d.
Sums received during the year from sales * - - - - -		
Value of goods supplied to the asylum during the year, viz. :—		
Beef, mutton, pork, &c. - - - - -	£ s. d.	
Poultry and eggs - - - - -		
Milk, butter, and cheese - - - - -		
Potatoes and other vegetables - - - - -		
Other items, viz. :—		

Other receipts, specifying them :—†		
_____	£ s. d.	

TOTAL RECEIPTS - - - - -		
Value of stock at the end of the year - - - - -		
Balance (if any) against farm and garden - - - - -		
TOTAL - - - - -		£

I HEREBY CERTIFY that I have compared the entries in this Financial statement that the regulations with respect to such statement have been duly
 I hereby further certify that I have ascertained by audit the correctness during the year ended the 31st day of March, 189 , included in such

* See note * on page 73.

† The items included under this heading, if cash receipts, should also be entered under the heading "Other Receipts," in the Maintenance Account (Part I. of this Statement).

Institutions for Lunatics :—Financial Statement. 77

GARDENING ACCOUNT.

EXPENDITURE.			
Value of stock at the commencement of the year	-	-	-
	£	s.	d.
Sums paid during the year in respect of—			
Labour (not that of patients)	-	-	-
Provender	-	-	-
Seeds and manures	-	-	-
Stock, live and dead (bought)	-	-	-
Other payments, specifying them :—		£	s. d.
TOTAL EXPENDITURE	-	-	-
Balance (if any) in favour of farm and garden	-	-	-
TOTAL	-	-	-

Clerk of Asylum.
_____' day of _____, 189____.

TOTAL EXPENDITURE as shown in summary of Parts I. and II.	£	s.	d.
AMOUNT DISALLOWED AT AUDIT	-	-	-
AMOUNT ALLOWED AT AUDIT	-	-	-

Statement with the vouchers and other documents relating thereto, and complied with.
of such Statement, and that the expenditure of the visiting committee Statement, and allowed by me at the audit, is _____*

As witness my hand this _____ day of _____, 189____.

 Stamp.
 _____ District Auditor.

* Amount to be inserted in words at length.

Given under the seal of office of the Local Government Board, this fifteenth day of September, in the year One thousand eight hundred and ninety-two.

(L.S.)

Fowler,
President.

S. B. Provis,
Assistant Secretary.

6. Criminal Lunatics.

WARRANT, DATED JUNE 28, 1861, APPOINTING BROADMOOR CRIMINAL LUNATIC ASYLUM, IN THE COUNTY OF BERKS.

V.R.

Whereas, by an Act passed in the 23rd and 24th years of Our Reign, entitled "An Act to make better provision for the custody and care of Criminal Lunatics,"* it is among other things enacted that it shall be lawful for Us from time to time, by warrant under Our royal sign manual, to appoint that any asylum or place in England which We may have caused to be provided or appropriated, and may deem suitable for the purpose, shall be an asylum for criminal lunatics. Now we do hereby signify Our will and pleasure, and appoint that a certain building at Broadmoor in the county of Berks, which We have caused to be provided, and which We deem suitable for the purpose, shall be an asylum for criminal lunatics, and the provisions of the said Act shall be applicable to the same.

Given at our Court at St. James's the 28th day of June, 1861, in the 25th year of our reign.

By Her Majesty's command,
G. C. Lewis.

RULES, DATED 1863, FOR THE GUIDANCE OF THE OFFICERS, ATTENDANTS, AND SERVANTS OF BROADMOOR CRIMINAL LUNATIC ASYLUM (PURSUANT TO ACT 23 & 24 VICT. c. 75.† s. 5).

The Medical Superintendent.

1. The medical superintendent shall be a fellow or member of the College of Physicians in London, Edinburgh, or Dublin, or a doctor of medicine of the University of Oxford, Cambridge, Edinburgh, or London, qualified to practise as a physician, or shall be a fellow or member of one of the Royal Colleges of Surgeons, and a licentiate of the Company of Apothecaries.

* The Criminal Lunatic Asylums Act, 1860 ; 23 & 24 Vict. c. 75.

† The Criminal Lunatic Asylums Act, 1860.

2. He shall devote the whole of his time to the duties of the office, and shall not have any connexion, directly or indirectly, with any other establishment for the reception of lunatic or other patients; nor shall he be engaged in the practice of his profession.

3. One of the medical officers shall be at all times on duty in the asylum. The superintendent and deputy superintendent shall never be both absent for a night from the establishment.

4. The superintendent shall not be absent from the asylum for more than one night without the written consent of one member of the council, and when so absent shall enter the same in his journal. An absence of six weeks in every year will be allowed him, provided that arrangements be made, satisfactory to the council, for the efficient performance of his duties during such absence.

5. He shall have control over all the other officers, attendants, and servants, in everything pertaining to the maintenance, care, occupation, and amusement of the patients. He shall have power to provisionally engage attendants and servants, and to grant them temporary leave of absence. He shall have authority to suspend any subordinate officer or servant until the next meeting of the council.

6. He shall be responsible for the management and condition of the asylum, and shall superintend the whole of the medical and moral treatment of the patients, and the general arrangements of the establishment, subject to the rules of the asylum, and the directions of the council.

7. He shall classify the patients, and shall regulate and determine the diet of those who are sick and infirm, in such manner as he shall see fit, taking care that the particulars of such sick or extra diet be entered in a book, to be kept for that purpose. He shall also from time to time examine the provisions furnished for the use of the patients, and report to the council whenever he shall consider the quality of any part of it to be unsatisfactory.

8. He shall carefully examine every patient on admission and, if requisite, on removal, and shall cause proper entries relative thereto to be made in the books kept for that purpose.

9. He shall make a daily visit to all parts of the asylum, passing in review the whole of the patients, attendants, and servants; this general visit to be independent of any special visits which, from the severity of particular cases, or for the insuring constant attention to their duties on the part of the attendants and others, he may judge it expedient to make.

10. He shall make occasional visits, at uncertain times during the night, to various wards and bedrooms, and shall enter

in the journal the state of the asylum at the time of such visits for the information of the council at their next meeting. On making such visits to the department for female patients, he shall be accompanied by some female officer of the asylum.

11. He shall take care that every patient reported as requiring seclusion be immediately visited by himself or another resident medical officer.

12. He shall take care that the rules of the asylum be faithfully observed, especially enforcing at all times on the attendants and servants the paramount importance of gentleness and kindness to the patients.

13. He shall investigate all complaints made to him by patients, attendants, or servants, and shall report in writing to the council, at their next meeting, such as appear to require further notice.

14. He shall take care that all admissions, discharges, and deaths be duly recorded, and that the prescription books, medical visitation book, case book, and any other records for which he is responsible, be regularly and effectively kept. The dates, apparent causes, and other material particulars of the deaths of patients are to be entered in the case book; the results of post-mortem examinations in the post-mortem book. Each case shall contain the following particulars, to be amplified in cases which appear to require more extended details:—

First. A statement of the name, age, sex, and previous occupation of the patient, and whether married or single; the crime for which the patient was committed or convicted, date and place of trial, the prison from which the patient was received, and the sentence passed by the court.

Secondly. An accurate description of the external appearance of the patient when first seen after admission; of the habit of body and temperament; of the appearance of the eyes, the expression of the countenance, and any peculiarity in the physical formation; the state of the vascular and respiratory organs, and of the abdominal viscera, and their respective functions; of the state of the pulse, tongue, skin, &c.; the size and form of the head.

Thirdly. A description of the phenomena of mental disorder which characterise the case, the manner and period of the attack, with a minute account of the symptoms and the changes produced in the patient's temper or disposition; specifying whether the malady displays itself by any and what illusions, or by irrational conduct or morbid or dangerous habits or propensities; whether it has occasioned any failure of memory or understanding, or is connected with epilepsy, hemiplegia, or symptoms of general paralysis—such as tremulous movements of the tongue, defect of articulation, or weakness or unsteadiness of gait.

Fourthly. Every particular which can be obtained respecting the previous history of the patient; what are believed to have been the predisposing and exciting causes of the attack; what have been his habits, whether active or sedentary, temperate or otherwise; whether he has experienced any former attacks, and if so, at what periods; whether any of his relatives have been subject to insanity or any other cerebral disorder; and whether his present attack has been preceded by any premonitory symptoms, such as restlessness, unusual elevation or depression of spirits, or any remarkable deviation from his ordinary habits and conduct; and whether he has undergone any, and what, previous treatment, or has been subject to personal restraint.

Fifthly. A statement from time to time at intervals (in no case exceeding one month) of the mental and bodily condition of the patient, and of any changes which may be observed in his bodily health, or in the form of his mental disease; and also an accurate record of the medicines administered and other remedies employed, with the result.

The several particulars herein required to be reported to be set forth, not in any fixed or tabular form, but in a manner so clear and distinct that they may admit of being easily referred to and extracted whenever required.

15. He shall see that there be immediately entered in the prescription book an account of all medicines, wines, and spirits prescribed and dispensed.

16. He shall on the death of a patient communicate the fact to the coroner of the district, and report the event in writing at the next meeting of the council, specifying the time during which such patient had been in the asylum, and the apparent cause of death, and the verdict of the jury.

17. He shall make post-mortem examinations when practicable, in cases that appear likely to afford information as to the nature, causes, or effects of insanity, or where the cause of death is doubtful.

18. He shall take care, when any violent or sudden death shall occur, that immediate notice thereof be sent to the friends of the patient, and in every case of suicide the attendant who had the care of the patient shall be suspended until the next meeting of the council unless he is able to clear himself from blame.

19. He shall take care that the friends of patients dangerously ill be invited to visit them without delay, and to remain with them, as far as may be practicable, during the continuance of such illness.

20. He shall keep a journal in which he shall record important occurrences and report the same to the council in the

first week of every month, noticing the name of every convict-patient fit to be reported to the Secretary of State for the Home Department as recovered, the number of patients in the asylum, the number of such as are sick, the number, if any, of those who have been under personal restraint or in seclusion, with the cause, the nature, and the duration thereof, the number who have attended Divine worship, and the number who have been in employment, with the nature of their occupations.

21. He shall keep an attendants' and servants' misconduct book, in which he shall enter all necessary particulars relative to the conduct of attendants and servants, the same to be laid before the council at their periodical meetings.

22. He shall take care that the lists be prepared of all patients who are suicidal, or subject to any disease or habit requiring particular attention, such lists to be delivered to the attendants in each ward for their guidance, and to be corrected from time to time with every change of patients.

23. He shall point out to the chaplain such patients as he may consider capable of deriving benefit from religious instruction.

24. He shall allow every patient of a religious persuasion differing from that of the Established Church, at the special request of such patient or of his or her friends, to be visited at reasonable times by a minister of his or her own persuasion, whenever, in his (the medical superintendent's) opinion, such visits will not be prejudicial.

25. He shall inspect all letters addressed to patients, and shall give such letters, or communicate the contents thereof, wholly or in part, to the patients addressed, at his discretion.

26. He shall also inspect all letters written by patients (except those addressed to the council), and shall withhold such as appear to him to be objectionable. All letters so withheld shall be laid before the council at their next meeting.

27. He shall see that the steward or chief clerk be made acquainted with every change in the number of patients in any of the wards, in order that a corresponding change be made in the distribution of rations.

28. He shall present to the council at their first meeting in every year an annual report showing the general condition of the patients, and the state and management of the asylum during the year.

29. He shall be assisted by a deputy superintendent, and by an assistant medical officer, who shall also act as apothecary.

30. He shall, through the clerk of the works, direct the execution of all repairs of urgent necessity.

31. He shall direct the bailiff and gardener as to the management of the farm and garden, and keep a separate account of receipts and expenditure pertaining to this department.

32. He shall take care to have always in store a sufficient stock of all articles in ordinary use, or likely to be required.

33. He shall receive from time to time the money necessary to meet current expenses, and shall lay before the council every quarter a carefully prepared balance sheet of receipts and expenditure, the latter supported by proper vouchers.

The Deputy Superintendent.

He shall be registered as qualified to practise medicine and surgery.

He shall devote the whole of his time to the service of the asylum, and shall not have any interest, directly or indirectly, in any other establishment for the reception of lunatic or other patients.

He shall take, from day to day, such duties in the asylum as the superintendent may direct.

In the absence or during the illness of the superintendent, he shall take charge of the establishment, when he shall have the same power and authority as are ordinarily vested in the superintendent.

He shall not be absent from his duties without the consent of the superintendent, nor for more than one night without the permission of a member of the council of supervision.

Leave of absence of one month will be granted to him annually, provided that arrangements can be made, satisfactory to the council, for the efficient performance of his duties during such absence.

Assistant Medical Officer.

There shall be an assistant medical officer who shall also act as apothecary.

He shall be registered as qualified to practise both medicine and surgery.

He shall devote his whole time to the service of the asylum, and shall not have any interest, directly or indirectly, in any other establishment for the reception of lunatic or other patients.

He shall take charge of the dispensary, and shall make up all medicines prescribed for the patients, officers, attendants, or servants of the establishment.

He shall perform such other duties as the superintendent may direct.

He shall not be absent from his duties without the consent of the superintendent, nor for more than one night without the permission of a member of the council of supervision.

A leave of absence of one month will be granted to him annually, provided that arrangements can be made, satisfactory to the council, for the efficient performance of his duties during such absence.

The Chaplain.

The chaplain shall be in priest's orders and shall be licensed by the bishop of the diocese as required by the statute (16 & 17 Vict. cap. 97.* s. 55). He shall devote the whole of his time to the duties of his office.

He shall perform the appointed services according to the rites of the Church of England twice on every Sunday, and once on Christmas Day and Good Friday, and shall read prayers on every other morning in the chapel of the asylum at such hours as the council of supervision may from time to time direct.

He shall also perform on week days short services in the wards or in the infirmary.

He shall administer the sacrament of the Lord's Supper in the chapel of the asylum at least four times in each year.

The Holy Communion shall not be administered to any patient without the consent of the superintendent.

He shall pay special attention to the sick and dying, and to those patients whose mental condition would seem to admit of their receiving with advantage his ministrations.

He shall take charge of all books and periodicals provided for the use of the patients, and shall distribute the same with the sanction of the superintendent.

He shall form reading classes, as well as organise and superintend a system of elementary instruction for the patients, and shall superintend any schools established for the benefit of the families of attendants and servants.

He shall present to the council, in January of each year, a report stating the results of his ministrations in the asylum, and of his intercourse with the patients.

He shall not be absent from his duties without the consent of the superintendent, nor for more than one night without the permission of a member of the council of supervision.

A leave of absence of six weeks will be allowed to him annually, on his providing for his duties to the satisfaction of the council.

Steward and Storekeeper.

There shall be a steward and storekeeper.

All stores shall be received by this officer, who shall keep books in which the receipt and distribution of the stores and provisions shall be entered.

* Repealed and consolidated with other Acts by the Lunacy Act, 1890 (53 & 54 Vict. c. 5).

The kitchen, the clothing and bedding of male patients—the tailors', shoemakers', mattress-makers', and matmakers' shops—the laundry, and the furniture belonging to the establishment, will come under the immediate care of the steward.

He shall keep accurate accounts, in such form and under such headings as the council may from time to time decide upon adopting.

He shall be assisted in his duties by three clerks and a steward's porter.

He shall not absent himself from his duties without the permission of the superintendent, nor for more than one night without the permission of a member of the council of supervision.

The Matron.

The immediate care of the female patients devolves necessarily in a great measure upon the matron.

She shall be responsible for their personal cleanliness and for the condition of their clothing and bedding, for the cleanliness of the different day-rooms, dormitories, and corridors, as well as of the attendants' and servants' rooms.

She shall superintend the making, repairing, washing, and airing of the clothing and linen.

She shall exercise supervision and control over the female attendants and servants, and over the porter attached to the female division.

She shall be responsible for the proper execution of all directions she may from time to time receive from the superintendent.

She shall visit the wards and dormitories at least twice in each day, early in the morning, at mealtimes, or at bedtime, enforcing kindly but firmly the observance of all rules made for the guidance of attendants and servants in the care and treatment of the patients.

She shall make occasional visits during the night to the different wards, and shall report to the superintendent the result of such visits, specially as regards the performance of the night-duty. She shall be present at the reception of every patient.

She shall not be absent from her duties without the consent of the superintendent, nor for more than one night without the permission of a member of the council of supervision.

One month's leave of absence will be allowed to her annually on her duties being provided for to the satisfaction of the council.

She shall be assisted by a sub-matron, who will also act as workwoman.

Clerk of Works.

There shall be a clerk of works. This officer shall have charge of the buildings. All repairs and alterations should be executed under his direction.

He shall exercise supervision and control over the engineer, the gasman, the mechanics and labourers employed in his department; and shall have charge of the steam engine, the fire engine, the gasworks, and of all tools supplied for his use.

His attention shall be specially directed to the supply of hot and cold water, to the gas, and to the state of the drains.

He shall keep all accounts connected with his department in such manner as the council may from time to time direct.

He shall not be absent from his duties without the permission of the superintendent.

He shall make requisition for all articles likely to be required for ordinary repairs, and shall be responsible for the condition of such stores, as well as for their distribution.

Bailiff and Gardener.

There shall be a bailiff and gardener, who shall have the care and management of the farm, the garden, airing-grounds, shrubberies, and roads, and shall be responsible for their being kept in proper order.

He shall keep an account of all farm and garden produce, and have the charge of all implements and tools.

He shall have the charge of the horses, cows, or other stock that may from time to time be purchased for the use of the establishment. He shall exercise supervision and control over the servants and labourers employed in the stable, on the farm, or in the garden.

He shall not absent himself from his duties without the permission of the superintendent.

Rules for the Guidance of Officers, Attendants, and Servants of Broadmoor Criminal Lunatic Asylum.

General Rules.

Kindness and forbearance are first principles in the care and management of persons of unsound mind; few such persons are beyond their influence. The mischievous will become somewhat less troublesome, the dirty less careless: the irritable and violent often render most essential service to the attendants who treat them firmly, justly, and kindly.

When coercion is necessary, it is not to be attempted by an attendant single-handed. An excited patient will frequently resist with much violence a single person, but will submit quietly in the presence of two or more attendants.

Every instance of seclusion is to be immediately reported to the medical officer on duty.

Efforts should be made to induce the patients to wash themselves thoroughly every morning, and then to dress with more or less neatness.

Helpless patients must be carefully washed and dressed by the attendants. The liberal use of soap should be encouraged. A hairbrush, comb, and toothbrush are to be supplied to every patient capable of appreciating their use.

All patients who can be permitted to attend morning prayers are to be encouraged to do so.

During the day the habits of individual patients are to be consulted in endeavouring to find employment for them. Those able to work should be encouraged. The newspapers, periodicals, and books provided should be freely circulated amongst those capable of using them. Draughts, chess, and cards may be introduced after the evening meal, or during the long winter evenings.

The imbecile and helpless should be assisted to walk about, so as to take some amount of exercise daily. It is important that no patient be permitted to contract a habit of passing his whole time in the day-room or corridor.

As a rule, every male patient is to be shaved at least three times in the week. Two attendants should be present. The razor must not leave the hand of the attendant.

Every patient is to have a warm bath at least once in the week. Soap and the flesh brush are to be freely used in the bath. The patients go to their respective beds from the bath-room. In using the bath the key is never to be left within the reach of a patient. Cold water is to be turned on first in moderate quantity; the temperature is to be raised by the addition of hot water. The heat is then tested by the thermometer, and is not to exceed, except by special order, 90° to 96° Fahrenheit. When bathing the patients are not to be left in the bath-room without an attendant.

The possibility of suicide is ever to be remembered. Patients known to have a tendency to injure themselves or others should be specially watched.

The meals are to be served with all possible regard to the comfort of the patients. Grace is to be said before and after dinner.

The knives, forks, and spoons are to be counted after every meal, and must be locked up in a place provided for that purpose.

The attendants are at all times to be careful not to allow brooms, mops, pokers, or any other articles readily used as weapons, to remain in the wards accessible to patients.

Patients are not to be permitted to use the carving-knives, bread or other knives, provided for the use of the attendants. Care is necessary not to allow patients access to matches.

All fires in dormitories must be seen out at bedtime, unless express orders to the contrary have been given by the superintendent.

Great care is also necessary not to leave matches, razors, knives, or other similar articles lying about in attendants' rooms.

A patient is on no account to be trusted with a ward-key.

All clean patients are to be provided with two suits of clothing.

The linen is to be changed as follows :—

Day-shirts twice in the week.

Socks " "

Night-shirts once in the week.

Drawers " "

Guernseys " "

Sheets and pillow-cases every fortnight.

A liberal allowance of round and other towels is to be supplied to each ward.

The bed and body linen of dirty patients is to be changed as often as necessary.

Every portion of the building is to be kept most scrupulously clean.

Patients' letters are to be received and forwarded through the superintendent's office.

The attendants must understand that they will be held responsible for the safe custody of the patients, whether in the wards, the airing-courts, or the grounds of the asylum. Patients should be counted at every meal.

An attendant on duty is on no account to leave his post until relieved. No part of a ward accessible to patients is ever to be left without proper supervision.

All accidents, bruises, or scratches, however trivial, are to be reported either immediately to the medical officer on duty, or to the medical officer at his next visit.

Subordinate officers, attendants, or servants, who may be suspended from duty, are not entitled to any pay or rations during the period of suspension; both may, however, be granted in special cases recommended by the superintendent for the favourable consideration of the council.

Any servant of the establishment, though engaged for special work, is liable to be called upon by the superintendent to do duty temporarily as an attendant in the wards or in the grounds.

Implicit obedience will be exacted to all orders given by the superintendent or by other officers.

Neglect or ill-treatment of a patient is by law specially punishable as a misdemeanour. Connivance at the escape of a patient is felony, and punishable by penal servitude or imprisonment. Any officer or servant who carelessly allows a patient to escape, may be fined any sum not exceeding 20*l.*, nor less than 2*l.* (23 & 24 Vict. c. 75).*

An order signed by a member of the council, to entitle the bearer to admission to the asylum, or any individual patient, subject, as to the latter, to any objection on the part of the medical superintendent, to be recorded by him in writing. Relations and friends will be admitted to see patients at the discretion of the superintendent.

* The Criminal Lunatic Asylums Act, 1860.

All subordinate officers, attendants, and servants are to be engaged on probation for the period of six months, when they may be, on the recommendation of the superintendent, permanently appointed.

No officer, attendant, or servant shall receive any gratuity or perquisite of any kind from any tradesman or contractor, or from any patient or friend of a patient, on pain of immediate dismissal.

Attendants and servants are prohibited from using the clothing or bedding provided for the patients.

The house diet will be on a liberal scale. Waste must be avoided, by returning to the kitchen what may remain unconsumed.

It is forbidden to take any article of diet out of the building.

No officer, attendant, or servant is to hold written or other correspondence with the friends or relations of patients without the consent of the superintendent.

Books, periodicals, and newspapers supplied for the use of the patients are not to be taken into the houses of officers, attendants, or servants.

Subordinate officers, attendants, and servants permanently appointed, whose services may be discontinued, will be entitled to one month's notice or one month's pay; and they will be expected to give the same notice, or to forfeit one month's pay, in the event of their wishing to leave the service. Previous to the completion of the probationary period, one week's mutual notice will suffice.

Subordinate officers, attendants, and servants are liable to be summarily dismissed for any misconduct, without notice or claim.

Cottages on the property, occupied by subordinate officers, attendants, or servants, are to be at all times open to the inspection of superior officers. No lodgers can be permitted; nor are the occupants of such cottages at liberty to keep dogs, pigs, or poultry without permission of the superintendent.

All official communications to the council are to be made through the superintendent, whose duty it shall be to present the same to the council at their first meeting after their reception.

No subordinate officer, attendant, or servant will be entitled to increase of salary or wages for length of service, without a certificate from the superintendent that his or her duties have been satisfactorily performed.

The Gate Porters.

They shall be on their stations at 6 o'clock every morning in the summer, and at such time as may be appointed, not later than 7 o'clock, in the winter. They shall not quit their stations during any part of the day without the permission

of the superintendent. They shall remain on duty until 10 p.m.

A book shall be kept by each gate porter, in which he shall enter the time of departure and return of every subordinate officer, attendant, or servant.

They shall not suffer any spirits, wine, beer, or other fermented liquors to be brought into the asylum, for the patients, attendants, or servants, without the permission of the superintendent.

They shall not suffer any provisions to be brought into the asylum for patients. They shall not allow provisions or clothing belonging to the establishment to be taken out of the asylum, without the authority of the steward or, in the female division, of the matron.

They shall be at liberty to examine all parcels and bundles coming into or going out of the asylum, except such as may belong to the superior officers of the establishment.

FORM, PRESCRIBED BY THE SECRETARY OF STATE, OCTOBER 28, 1884, OF ORDER OF A JUSTICE FOR CONTINUED DETENTION IN ASYLUM AS A PAUPER LUNATIC OF A PERSON ABOUT TO CEASE TO BE A CRIMINAL LUNATIC.

CRIMINAL LUNATICS ACT, 1884.

47 & 48 Vict. c. 64. s. 7 (2).

(a.) Registered No. of criminal lunatic	-	(a.)
(b.) Name	-	(b.)
†(c.) Offence of which convicted	-	(c.)
(d.) Date of conviction	-	(d.)
(e.) Court	-	(e.)
(f.) Sentence	-	(f.)
(g.) Asylum in which lunatic is detained at the date of this order	-	(g.)
(h.) Date of warrant of removal to the said asylum	-	(h.)
(i.) Date of notice of insanity	-	(i.)

(d) If necessary, add "the jury returning a special verdict in pursuance of the Trial of Lunatics Act, 1883."*

† In the case of an *unconvicted* criminal lunatic—

For (c) substitute, offence charged.

For (d) substitute, as the circumstances may require—

Date of remand, or

Date of commitment for trial; or

Date when, on arraignment, prisoner was found to be then insane by a jury specially empanelled for the purpose; or

Date of trial when prisoner appeared to the jury charged with indictment to be then insane; or

Date when prisoner was brought up before Court to be discharged for want of prosecution and found to be then insane by jury empanelled for the purpose.

(f) to be omitted.

* 46 & 47 Vict. c. 38.

*Order of a Justice for continued detention in Asylum
as a Pauper Lunatic of a Person about to cease to be
a Criminal Lunatic.*

Whereas the lunatic above described is now detained in the above-mentioned asylum as a criminal lunatic:

And whereas notice of insanity, as prescribed by Section 7 of the above-mentioned Act, has been given to me by the superintendent of the said asylum, viz., to the effect—

- (a) that the said criminal lunatic is about to be absolutely discharged; *or*
- (b) that the term of penal servitude [*or* imprisonment] to which the said criminal lunatic is subject is about to determine:

Strike out paragraph (a) or paragraph (b) whichever is inappropriate.

and that in the opinion of the said superintendent, the said criminal lunatic is insane and unfit to be at large:

And whereas, after having examined him, and made such inquiry as I deemed necessary, I am satisfied that he is insane, and a proper person to be detained under care and treatment:

And whereas, having inquired into the facts, and having regard to the 8th section of the Criminal Lunatics Act, 1884,* I am of opinion that, for the purposes of the said Act, the said lunatic is *prima facie* chargeable to the union or parish of _____, being—

- (a) the union or parish in which it appears to me that his ordinary residence was situate at the time when the offence in respect of which he became a criminal lunatic, was alleged to have been committed; *or*
- (b) the union or parish in which it appears to me that the said offence was alleged to have been committed; *or*
- (c) the union or parish in which it appears to me that the said criminal lunatic was first apprehended for such offence; *or*
- (d) the union or parish in which it appears to me that the said criminal lunatic first landed in the United Kingdom; *or*
- (e) the union or parish to which the said criminal lunatic appears to me, from statements made in the declaration made on his entry into the naval service of Her Majesty, or in his attestation paper on enlistment, or from other available information, to be by law chargeable for the purposes of the Acts relating to the relief of the Poor:

Strike out all these paragraphs (a), (b), (c), (d), (e), except the one which is appropriate.

I hereby, in pursuance of the above-mentioned Act, order the said lunatic to be detained in the aforesaid asylum as a lunatic.

* 47 & 48 Vict. c. 64.

This order shall take effect as from the date when the said criminal lunatic is absolutely discharged, or when the said term of penal servitude or imprisonment determines. If, however, within one month after the date of the aforesaid notice, the said lunatic is not absolutely discharged, or the said term of penal servitude or imprisonment has not determined, this order shall be of no effect.

Subjoined is a statement of the names and addresses of some of the relatives of the lunatic.

Justice of the Peace
for

day of 18 .

To the Superintendent of

Asylum.

The names and addresses of some of the relatives of the lunatic are as follows :—

Name.	Address.

ORDER IN COUNCIL, DATED DECEMBER 13, 1889, MAKING
REGULATIONS AS TO THE REMOVAL OF CRIMINAL
LUNATICS FROM AND THEIR RETURN TO BRITISH
POSSESSIONS.

[This Order in Council is printed under the title "Colonial
Prisoner."]

LUNATIC, SCOTLAND.*

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|---|--|--|
| 1. <i>Licensing of Wards of
Poorhouses, p. 1.</i> | | 2. <i>Exchequer Contribution
Grant, p. 12.</i> |
|---|--|--|

1. Licensing of Wards of Poorhouses.

GENERAL RULES AND CONDITIONS, DATED OCTOBER 10, 1902, OF THE GENERAL BOARD OF COMMISSIONERS IN LUNACY FOR SCOTLAND, AND APPROVED NOVEMBER, 1902, BY HIS MAJESTY'S SECRETARY FOR SCOTLAND. AS TO THE GRANT OF LICENSES FOR THE RECEPTION OF PAUPER LUNATICS WHO ARE NOT DANGEROUS, AND WHO DO NOT REQUIRE CURATIVE TREATMENT, INTO LUNATIC WARDS OF POORHOUSES.†

I.

The consent of the Local Government Board to the appropriation of portions or wards of poorhouses for the accommodation of pauper lunatics must be obtained before such wards are licensed.

II.

With every original application for license there shall be laid before the General Board of Lunacy (hereinafter termed the board) a plan, upon such scale and in such form as shall satisfy the board, of those portions or wards of poorhouses for which their license is desired. The application for license shall state the greatest number of lunatics of each sex proposed to be received. A statement shall at the same time be made as to the quantity and quality of the water supply, and the board shall be satisfied that the extent of land attached to the wards is sufficient for the adequate outdoor occupation and exercise of the patients.

III.

The accommodation for lunatics must be entirely separate and distinct from that occupied by the ordinary paupers; the fittings and furniture must be in accordance with the requirements of the board; and separate grounds must be provided.

* The Order in Council of December, 13, 1889, making regulations as to the removal of criminal lunatics from and their return to British possessions, is printed under the title, "Colonial Prisoner."

† These regulations are made under Sections 3 and 4 of the Lunacy (Scotland) Act, 1862 (25 & 26 Vict. c. 54).

IV.

Whenever the number of pauper lunatics to be accommodated shall exceed sixty, unless the premises have been already licensed for a larger number, separate buildings, entirely detached from those occupied by the ordinary paupers, shall be provided.

V.

No additions to or alterations in the external or internal structure of lunatic wards which have received the license of the board shall be made without the written consent of the board, and without the plans therefor receiving their sanction.

VI.

The license shall be in the name of the governor of the poorhouse, and a new license shall be procured whenever a change of governor takes place.

VII.

The entire responsibility of the management and treatment of the inmates of the lunatic wards shall rest with the licensee, subject to the provisions of Rule 15.

VIII.

The license of the board will not be granted or renewed unless competent and properly paid attendants be provided in such numbers as shall from time to time be required by the board.

IX.

The admission of patients into the lunatic wards shall take place only on the sanction of the board, in accordance with the schedule in Appendix A. of these Rules. The interim detention of a patient for a period not exceeding seven days may be carried out, without the sanction of the board, on a medical certificate granted in terms of the form for the purpose attached to the schedule; but such interim certificate shall not be used except in cases where the necessity for the removal of the patient to such wards is urgent.

X.

Application for the renewal of the license shall be made in December of every year, and if the license has not been renewed before the expiry of January following, it shall be regarded as cancelled. The application shall be made by the chairman of the parish council in the case of poorhouses belonging to single parishes, and by the chairman of the house

committee in the case of poorhouses possessed by parishes which have combined for poorhouse purposes. The board retain the power to recall their license at any time, should circumstances arise to render this course in their opinion desirable.

XI.

Whenever, in the opinion of the governor, a patient in the lunatic wards of a poorhouse becomes from any cause an unsuitable inmate of such wards, he shall immediately direct the attention of the medical officer to the case, and shall report to the board that he has done so; and if the medical officer certifies the patient to be an unfit inmate of the wards the governor shall call upon the inspector of poor of the parish to which he is chargeable to carry out his immediate removal to an asylum; and if in the opinion of the medical officer danger would be incurred by delaying the removal of the patient until action can be taken by the inspector of poor of the parish to which he is chargeable, the governor shall obtain a certificate of emergency, and shall himself sign the request for reception and remove the patient to the asylum; and he shall further at once notify to the inspector of poor that he has done so, and that unless steps are taken to complete the papers authorising the detention of the patient, the superintendent of the asylum will be unable to detain him for more than three days.

XII.

The diet shall be regulated by the tables in Appendix B. to the present Rules, or by tables sanctioned by the board for the lunatic wards of individual poorhouses, and the requirements of the board with regard to the clothing, bedding, cleanliness, efficient supervision, and kindly treatment of the patients, and the fittings, furniture, good order, and cleanliness of the wards, shall be complied with.

XIII.

Whenever the number for which the wards are licensed exceeds one hundred, the medical officer shall reside on the premises. Wards licensed for more than fifty patients, and less than one hundred, shall be visited daily by the medical officer; and wards licensed for fifty or less than fifty patients shall be visited at least twice a week by the medical officer.

XIV.

The responsibility for the good order and management of the wards shall rest upon the house committee; but, subject to their control, the governor shall be responsible for the condition of the house, clothing, and bedding, the preparation and quality of the food, and the proper serving of the meals;

he shall appoint and discharge the attendants, and be responsible for the manner in which they perform their duties; and he shall conduct all correspondence with the friends of patients, and shall be responsible for the keeping of the registers and the transmission to the board of all notices, letters, and documents the transmission of which is required by the board's rules or by the provisions of the law.

XV.

The medical officer shall, subject to the control of the house committee, direct the mental and bodily treatment of the patients, and regulate their occupations, amusements, and exercise; and he shall keep the case book, and, if non-resident, the medical attendant's book, referred to in paragraphs 10 and 11 of Appendix C. to these Rules.

XVI.

The medical officer who has once been appointed to the charge of the patients in the lunatic wards of a poorhouse shall not be removed from office without the concurrence of the board; and no medical officer shall be appointed to the charge of lunatic wards on any system of rotation unless with the express concurrence of the board.

XVII.

On at least one day of every week, which day shall be named on a board placed in a conspicuous position outside the entrance to the poorhouse, the friends or relatives of the patients shall be admitted to see them, unless special reasons exist for refusing admission. In every case of refusal of admission, whether of friend, relative, or clergyman, the fact of the refusal shall be entered in a book kept for the purpose, with the names of the applicant and patient, and a statement of the reason for refusal; and a copy of such entry shall be transmitted to the board within three days: and no person shall be refused admission without such entry being made in his presence.

XVIII.

The registers to be kept in lunatic wards of poorhouses shall be in accordance with the list in Appendix C.; and all notices required to be given to the board or to other parties by superintendents of asylums shall be given by governors of poorhouses.

XIX.

All letters addressed by the inmates of lunatic wards of poorhouses to the board, and all letters from the board to patients, shall be delivered unopened or unread; except in

those cases in which, for special reasons, the board have sanctioned a departure from this rule.

Walter G. Scott,
Chairman of the
General Board of Lunacy
for Scotland.

Edinburgh, 10th October, 1902.

The following rules and conditions having been submitted to me, I hereby certify my approval thereof.

Balfour of Burleigh,
His Majesty's Secretary
for Scotland.

Whitehall, 19th November, 1902.

Appendix A.

1. Form of Application for the License of the Board.

I, the undersigned, Chairman of the parish council [or of the poorhouse committee, in the case of a combination poorhouse] of S, hereby make application to the General Board of Lunacy for their sanction to receive (or to continue to receive) (*) pauper lunatics, of whom (*) shall be males and (*) females, into the lunatic wards attached to the poorhouse of D; subject to the rules and conditions issued by the Board for regulating the reception of pauper lunatics into the lunatic wards of poorhouses.

* State numbers.

II. Forms for Sanctioning the Reception of a Patient (Form C).

Form of Application to the Board of Lunacy to sanction the Reception of a Pauper Lunatic into the Lunatic Wards of a Poorhouse.

As it appears from the subjoined statement and accompanying medical certificate that A B, a pauper lunatic of the parish of C, is of unsound mind, is not dangerous, does not require curative treatment, and is a proper person to be placed in the lunatic wards of the poorhouse; may it therefore please your Honourable Board to sanction admission into the lunatic wards of the said poorhouse.

Signature,
Inspector of Poor of the Parish of

Dated at this day of One
thousand nine hundred and

Statement by Inspector of Poor.

If any of the particulars in this Statement be not known, the fact to be so stated.

1. Christian name and surname of patient at length.
2. Date of becoming chargeable.
3. Sex and age.
4. Married, single, or widowed.
5. Condition of life, and previous occupation (if any)
6. Religious persuasion, so far as known.
7. Previous place of abode.
8. Place where found and examined.
9. Length of time insane.
10. Whether first attack.
11. Age (if known) on first attack.
12. When and where previously under treatment.
13. Duration of existing attack.
14. Supposed cause.
15. Whether any relative known to be or to have been insane.

I certify that, to the best of my knowledge, the above particulars are correctly stated.

Signature of Inspector applying

Date

Statement by Medical Officer.

1. Whether deformed, or affected with bodily disease.
2. Whether able to speak and walk, dress and feed self.
3. Whether capable of employment.
4. Whether subject to epilepsy.
5. Whether paralytic.
6. Whether of uncleanly habits by day or night.
7. Whether violent or noisy.
8. Whether refusing food.
9. Whether of obscene conduct, or offensive to public decency.
10. Whether suicidal.
11. Whether dangerous to others.

I certify that, to the best of my knowledge, this statement is correct.

Signature of Medical Officer

Designation*

Date

* Medical officer of Asylum of —, or poorhouse of —, or parish of —, as the case may be, or acting in either of these capacities.

*Medical Certificate.**

[This certificate cannot be signed by the medical officer of the poorhouse in which the patient is to be placed.]

I, the undersigned _____ do hereby certify, on soul and conscience, that I have this day at _____, in the county of _____, personally examined _____ and believe to be of unsound mind, and a proper person to be placed in the lunatic wards of _____ poorhouse. I have formed my opinion of the patient's insanity upon the following grounds, viz.:—

1. Facts indicating insanity or idiocy observed by myself :

2. Facts indicating insanity or idiocy communicated to me by others :

3. I hereby further certify that the patient is not dangerous, is incapable of deriving benefit from treatment in an asylum, has no habits or infirmities which render care difficult, and is in a sufficiently good state of bodily health to be removed to the lunatic wards of the poorhouse named.

Name and Medical Qualification,

Place of Abode,

Dated this _____ day of _____ One thousand nine hundred and _____

Certificate for Interim Detention.

[This certificate authorises the detention of a patient in the lunatic wards of a poorhouse for seven days, without the sanction of the Board. *It should not be used except in circumstances which make the removal of the patient to the wards urgent.*]

I, _____, having already granted the certificate of insanity hereto annexed, hereby certify that, in my opinion, the said _____ may be removed, without risk of injury, to the lunatic wards of _____ poorhouse, and may be properly received for interim detention, pending the decision of the Board of Lunacy.

Signature,

Dated this _____ day of _____ One thousand nine hundred and _____

Sanction by the General Board of Lunacy.

The Board, having had submitted to them the foregoing application and relative documents, hereby sanction the admission of _____ into the lunatic wards of _____ poorhouse.†

Secretary.

Dated this _____ day _____ One thousand nine hundred and _____

* A second medical certificate is necessary when the patient is not already a duly certified lunatic. The second certificate of lunacy may be signed by the medical officer of the poorhouse in which the patient is to be placed, or other qualified practitioner.

† This sanction must be renewed unless acted upon within fourteen days from its date.

*Appendix B.**Diet Tables for Lunatic Wards of Poorhouses.*

Breakfast.		Dinner.	Supper.	
Males.	Females.		Males.	Females.
6 oz. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 8 oz. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.	5 oz. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 6 oz. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.	On three days in the week— $1\frac{1}{2}$ pint barley broth. 4 oz. of cooked meat, exclusive of the meat in the broth. 8 oz. bread, or 1 lb. potatoes. The potatoes and meat shall once weekly be served as Irish stew, with the proper quantity of onions; or as meat and potato pudding. On one day in the week— The preceding dinner, with pea soup instead of broth. On one day in the fortnight— $1\frac{1}{2}$ pint pea soup or broth 12 oz. meal pudding or suet dumpling for males, 10 oz. for females, 4 oz. bread. On one day in the fortnight— $1\frac{1}{2}$ pint pea soup or broth 12 oz. fresh fish (dressed) or 6 oz. dried fish, and 8 oz. bread. A sauce made with butter or fat and flour should be served with salt fish. On one day in the week— 1 lb. potatoes or 4 oz. rice. 8 oz. sweet milk. 2 oz. cheese. 6 oz. bread. On one day in the week— 6 oz. cooked meat. $\frac{1}{2}$ lb. vegetables. $\frac{1}{2}$ lb. potatoes. 6 oz. bread.	6 oz. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 8 oz. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.	5 oz. of oatmeal made into porridge, with $\frac{1}{2}$ pint butter milk or skimmed milk, or $\frac{1}{2}$ pint new milk. Or 6 oz. bread, $\frac{1}{2}$ oz. butter, with tea or coffee.

Broth, on days when boiled beef is not served, shall be made with 2 oz. of meat exclusive of bone, 2 oz. of barley, $\frac{1}{2}$ oz. of peas, $1\frac{1}{2}$ oz. of carrots, turnips, or other vegetables, for each ration of $1\frac{1}{2}$ pint.

Pea soup shall be made from 2 oz. of meat, exclusive of bone, and shall contain, in each ration of $1\frac{1}{2}$ pint, 2 oz. of whole or split peas, $1\frac{1}{2}$ oz. pea flour, 1 oz. vegetables, and seasoning.

12 oz. of meal pudding shall contain 6 oz. oatmeal, $2\frac{1}{2}$ oz. suet, $\frac{1}{2}$ oz. onions.

12 oz. of suet dumpling shall contain 6 oz. flour and $2\frac{1}{2}$ oz. suet. The pudding must contain fruit or be seasoned.

The ration of coffee shall contain $\frac{1}{2}$ oz. coffee, $\frac{1}{2}$ oz. sugar, 1 oz. new milk.

The ration of tea shall contain $\frac{1}{2}$ oz. tea, $\frac{1}{2}$ oz. sugar, 1 oz. new milk.

Patients should receive one porridge meal daily, but it is recommended that as a rule more than one such meal daily should not be given, unless at a patient's request.

Out-door workers shall receive an extra allowance of 1 oz. of cheese, with 2 oz. of bread and half a pint of milk or beer. These extras to be given as a luncheon and not with any ordinary meal.

Fresh vegetables, rhubarb, apples or other fruit should occasionally be given when in season.

Should the scarcity of any articles of diet render it advisable to depart temporarily from the scale laid down in the table, the medical officer shall take care that substances of equal nutritive value are supplied in their stead.

The medical officer may prescribe extra diet or alter the diet in the case of any patient for whom it appears to him to be necessary.

N.B.—The Board, being of opinion that a satisfactory dietary constitutes a most important element in the successful management of the insane, strongly recommend that special consideration should be given to the preparation of the food, and the comfortable serving of the meals. Not only should the food be well cooked and served in season, but the manner of cooking it should be varied, and the arrangements of the table should be neat and attractive. Table-cloths should be used, and knives and forks, salt-cellars, pepper-boxes, mustard-pots, and tumblers or drinking mugs should be supplied. The free use of succulent vegetables, such as cabbage, cauliflower, beetroot, carrots, and turnips, will, as a rule, exercise a very beneficial influence on health. Patients must be allowed a reasonable time for their meals.

The foregoing table has been submitted to Dr. James Craufurd Dunlop, Joint Medical Adviser to the Prison Commissioners for Scotland, and has been approved by him.

Appendix C.

List of registers to be kept in Lunatic Wards of Poorhouses :—

1. The Statutory Register of Admissions.
2. The Statutory Register of Discharges.
3. The Statutory Register of Deaths.
4. A Daily Register according to the form annexed.
5. A Register of Restraint or Seclusion, in which a record shall be made of every instance in which a patient is mechanically restrained, or is placed by day alone in a room with locked doors.
6. A Register of Visitors to Patients, in which shall be made an entry of every refusal to admit a visitor. Notice of such refusal shall be sent within two days to the board.
7. A Register of Accidents, in which shall be entered an account of every accident occurring on the establishment, whether to a patient, officer, or attendant, within twenty-four hours after its occurrence. A copy of every such entry shall be transmitted to the board within the same twenty-four hours.
8. A Register of Escapes of Patients.
9. A Register of Attendants, in which shall be recorded the dates of entering and leaving the service of the establishment, the capacity in which employed, the amount of wages, and the cause of leaving or dismissal of

every attendant, within three days of the commencement and cessation of duty. A copy of every such entry shall be transmitted to the board within the same three days.

10. A Case Book, kept by the medical officer, in which shall be entered an account of the physical condition of every patient, founded on medical examination, made whenever possible immediately after admission, and in which the history of every patient shall from time to time be recorded, an entry being made by the medical officer soon after admission and at least once every six months thereafter. In every case a copy of the report of the first examination shall be transmitted to the board by the Governor within three days after the admission of the patient; but whenever any evidence of injuries, or previous neglect or maltreatment, is apparent, the notice shall be sent immediately.

11. A Medical Attendant's Book, in which medical officers who are non-resident shall record their visits to the wards, with any remarks which may be thought desirable on the conditions of the wards and the treatment of the patients.

12. A Book, kept by the Governor, recording investigations into complaints of ill-usage and reports of the forcible control or compulsion of patients by attendants when they relate to occurrences not calling for record in the register of accidents.

Daily Register.

Return for the

day of

190

	Pauper Patients.		
	Male.	Female.	Total.
Number resident at completion of previous Return			
Admitted			
Brought back after absence on probation			
Do. do. on prolonged pass			
Do. do. by escape			
Total			
Discharged			
Died			
Left on probation			
Left on pass (not including passes for the day)			
Escaped			
Total			
Number remaining resident			
Alone in locked room at any time from 10 a.m. till 6 p.m.			
In mechanical restraint			
Wearing special kind of dress			
Confined to bed for the day			
Number on parole { beyond the grounds			
restricted to the grounds			
Number whose beds were wet during the night			
Total engaged in work			
Refusing to work			
Not working because of mental feebleness, depression, or excitement			
Not working because of physical weakness or infirmity			

(Daily Register—continued.)
Details of the Occupations of Pauper Patients.

	Male.	Female.		Male.	Female.
Employed <i>only</i> at Cleaning and other Household Work in the Wards	-	-	As Painters	-	-
As Garden or Field Labourers	-	-	As Joiners	-	-
As Farm Servants	-	-	As Plumbers	-	-
As Clerks	-	-	As Masons	-	-
As Storekeepers	-	-	In Kitchen	-	-
As Messengers	-	-	In Laundry	-	-
As Stokers	-	-	In Officers' Quarters	-	-
As Bakers	-	-	At Needlework	-	-
As Tailors	-	-	At Knitting	-	-
As Shoemakers	-	-			
As Upholsterers	-	-			

2. Exchequer Contribution Grant.

CONDITIONS AND INSTRUCTIONS TO BE OBSERVED IN THE DISTRIBUTION OF THE CONTRIBUTION TO THE COST OF MAINTENANCE OF PAUPER LUNATICS, APPROVED BY THE SECRETARY FOR SCOTLAND, JUNE 10, 1890.

1. The cost of the maintenance of any pauper lunatic shall be deemed to be the amount which has been actually paid out of the rates for the maintenance of such pauper lunatic during the year or portion thereof during which he was chargeable, under deduction of the sums recovered or recoverable from relatives and other sources.

2. Payments for certificates, or for quarterly visits under the Lunacy Acts, or for removals to and from places of detention, are not to be included in the cost of maintenance, and any claim in respect of such payments will be disallowed.

3. If the expenditure on maintenance has been in excess of 8s. per week, no claim will be admitted in respect of the excess, but the expenditure on which the parochial board* will be allowed to claim will be limited to 8s. per week.

4. When the claims have been audited and the total expenditure on which the contribution from the Local Taxation (Scotland) Account is to be distributed has been ascertained, the contribution will be divided among the various parochial boards* who have established their claims at such rate per £ as will exhaust, or as nearly as may be exhaust, the whole amount of the contribution.

5. No claim on account of any pauper lunatic will be recognised unless the certificate from the General Board of Lunacy is to the effect that, in their opinion, the lunatic has been necessarily detained and properly cared for in the place in which the said lunatic has been maintained.

6. All claims, without exception, must be made in the subjoined form.

7. The pauper lunatics are to be entered in the subjoined form in the class to which they belong:—Class I., those in which the net cost to the parochial board* has been 8s. and upwards per week; and Class II., those in which the net cost has not amounted to 8s. per week. In the case of a lunatic who has been chargeable in both classes, the name will be entered in each class with the same number.

8. The inspector of the parish in which a pauper lunatic has his admitted settlement at 14th May, 1890, will enter the name of the pauper lunatic in the claim. Accounts between

* Now Parish Councils or Council, as the case may be.

parishes as to the cost of maintenance of any pauper lunatic should be finally adjusted and settled before the case is included in the claim. If the settlement of the pauper lunatic has not at the above date been determined, the claim will be made by the inspector of the relieving parish.

9. When a pauper lunatic has been detained in more than one place during the year, the name of each place in which he has been detained must be stated in a separate line under columns 2 or 9 (as the case may be), and the other columns filled up with reference thereto.

10. The inspector of poor will enter in columns 4 or 11 (as the case may be) the number of complete weeks during which the pauper lunatic has been chargeable. Fractional parts of a week will be omitted, and the year will be held to consist of 52 weeks.

11. In the case of pauper lunatics residing in private dwellings, receipts from the persons with whom they are boarded for the payments made by the parochial board* on account of the pauper lunatics must be furnished. A statement showing separately and specifically the amount paid for aliment and for clothing, &c., should be transmitted along with the vouchers. The weekly cost in columns 5 or 12 (as the case may be) will include aliment, clothing, &c.

12. In the case of pauper lunatics in parochial asylums and in the licensed wards of poorhouses, belonging to parishes to which the lunatics are chargeable, the weekly cost per head will be determined by the annual return made by the governor or treasurer to the Board of Supervision,† and the weekly cost per head will be intimated by the governor or treasurer to the inspector or inspectors of poor of the parish or parishes to which the poorhouse belongs. In the case of parishes boarding paupers in these institutions by agreement, the actual rate paid will be entered in the claim.

13. A certificate of rates of maintenance in district asylums, and of rates paid for boarders in royal, district, and parochial asylums, and licensed wards of poorhouses, will be furnished by the General Board of Lunacy, and vouchers relating to payments in such cases need not therefore be transmitted, but in the case of paupers in institutions for imbeciles, receipts from the treasurer must be forwarded to the Board of Supervision.†

Approved by the Secretary of Scotland,
10th June, 1890.

* Now Parish Councils or Council, as the case may be.

† Now the Local Government Board for Scotland.

LUNATIC, IRELAND.

1. *Judicial Proceedings*, p. 1. | 2. *Pauper Lunatics*, p. 46.
3. *Criminal Lunatics*, p. 71.

1. Judicial Proceedings.

GENERAL ORDERS IN LUNACY, DATED JUNE 27, 1879.

Lord Chancellor.

I, John Thomas Ball, Lord High Chancellor of Ireland, intrusted by virtue of Her Majesty the Queen's sign manual with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, in exercise of the powers and authorities in this behalf vested in me by the Lunacy Regulation (Ireland) Act, 1871* and of all other powers and authorities enabling me in this behalf, order as follows :—

I.

The General Orders in Lunacy dated respectively the 21st day of August, 1848, the 12th day of July, 1871, the 23rd day of February, 1872, the 11th day of February, 1874, and the 16th day of October, 1874, are hereby discharged. Former orders discharged.

II.

All pending proceedings are to be carried on according to the provisions of these Orders, as far as may be practicable, and subject thereto, according to the heretofore subsisting practice; and in case of doubt as to the mode of procedure, in such of the modes aforesaid as the Lord Chancellor shall direct; and the provisions of these Orders are to be deemed to be subject to variation by special order in any case, and are to be applicable only where there are no express directions contained in or given by any special order concerning any of the several matters provided for in those Orders, or so far as such directions may not extend. Extent of these Orders.

III.

In these Orders, unless there be something in the subject matter or context repugnant to such a construction, words expressed in the singular and in the plural number respectively are to be construed as applicable respectively to several persons or things, and to one person or thing, and the words Interpretation.

* 34 & 35 Vict. c. 22.

purporting the masculine gender are to be construed as applicable to females as well as males. The expression "the Act" is to be taken to mean the Lunacy Regulation (Ireland) Act, 1871.* The expression "the Judicature Act" shall mean the Supreme Court of Judicature Act (Ireland), 1887.† The expression "the Lord Chancellor" is to be taken to mean the Lord High Chancellor of Ireland for the time being intrusted by virtue of the Queen's sign manual with the care and commitment of the custody of persons and estates of persons found idiot, lunatic, or of unsound mind. The expression "the Land Judge" shall mean the junior Land Judge of the Chancery Division of the High Court of Justice, exercising under the Judicature Act, and the rules in pursuance thereof, jurisdiction over receivers. The expression "the registrar" is to be construed to mean the registrar in lunacy for the time being. The expression "the Accountant-General" is to be taken to mean the Accountant-General for the time being of the Chancery Division of the High Court of Justice in Ireland; or after the consolidation of this office, directed by the 72nd section of the Judicature Act (Ireland), the Accountant-General for the time being of the High Court of Justice in Ireland. And the expression "the Bank" is to be taken to relate to the Bank of Ireland. The expression "next-of-kin" is to be construed to refer to the next-of-kin of a lunatic or a person of weak mind, and to comprehend his heir or heirs at law, and also the person or persons who would be entitled to his estate, or to shares thereof, under the statutes for the distribution of the effects of intestates, in case he were dead intestate. The provisions referring to Orders in Lunacy are to be deemed to extend as far as they are applicable mutatis mutandis to the case of directions contained in reports confirmed by fiat.

Computation of Time.

IV.

Computation
of time when
limited.

Where in these Orders, or in any special order, any limited time from or after any date or event is appointed or allowed for doing any act or taking any proceeding, and such time is not limited by hours, the computation of such limited time shall not include the day of such date or of the happening of such event, but shall commence at the beginning of the next following day, and the act or proceeding shall be done or taken at the latest on the last day of such limited time, according to such computation.

V.

Months to be
calendar
months.

Where in these Orders or in any special order the time for doing any act or taking any proceeding is limited by months, such time shall be computed by calendar months.

* 34 & 35 Vict. c. 22.

† 40 & 41 Vict. c. 57.

VI.

Where in these Orders or in any special order any limited time less than six days from or after any date or event is appointed or allowed for doing any act or taking any proceeding, Sundays and other days on which the offices are closed shall not be reckoned in the computation of such limited time.

Sundays and office holidays not included.

VII.

Where the time for doing any act or taking any proceeding expires on a Sunday, or other day on which the offices are closed, and by reason thereof such act or proceeding cannot be done or taken on that day, such act or proceeding shall, so far as regards the time of doing or taking the same, be held to be duly done or taken, if done or taken on the day on which the offices shall next open.

When time expires on Sunday or office holiday.

VIII.

The power of the Lord Chancellor to enlarge or abridge the time for doing any act or taking any proceedings, upon such terms—if any—as shall seem to him expedient, is to be deemed unaffected by these Orders.

Power to enlarge or abridge time.

Proceedings respecting the finding of Lunacy under the 15th Section of the Act.

IX.

Every petition praying an inquiry as to the soundness or unsoundness of mind of an alleged lunatic shall contain a full statement of the names and residences of the next-of-kin of the alleged lunatic, and the person or persons in whose house or under whose care the alleged lunatic is then or has been for the preceding 12 months residing, as far as can be ascertained by the petitioner, and the amount and nature of the property of the alleged lunatic, and shall be supported by the affidavits of two medical men (physicians or surgeons) and shall contain an undertaking on the part of the petitioner, in case the petition is dismissed or not proceeded with, to pay the costs or expenses of any visitation of the person alleged to be of unsound mind or otherwise incident to the inquiry before the Lord Chancellor. And the registrar in lunacy shall cause to be prepared attested copies of such petitions for the purpose of service of the same on the alleged lunatic. Every such petition and all other petitions, shall be lodged in the office of the registrar in lunacy, who shall file the same and prepare office copies thereof for the use of the parties when required.

What a petition is to contain and where to be lodged.

X.

The registrar in lunacy shall lay before the Lord Chancellor every petition presented under the 15th section of the Act, praying an inquiry as to the soundness or unsoundness of mind of

Proceedings on presentation of a petition, &c.

any alleged lunatic, and of every report of any visitor under the 12th section, and the Lord Chancellor shall by endorsement direct, if it shall seem to him right, that an inquiry be had as to the soundness or unsoundness of mind of the alleged lunatic, and whether notice of the petition or report, and the Order for an inquiry to be had, is to be served upon any person or persons other than the alleged lunatic, and if so upon whom.

XI.

Notice of petition to be given to alleged lunatic.

Notice of every such petition and of every report under the 12th section of the Act, and of the Order thereon, that an inquiry be had, shall be given to the alleged lunatic in manner and form herein-after directed, and also to such person or persons as the Lord Chancellor may by his Order direct.

XII.

Notice to alleged lunatic of a petition.

The notice to an alleged lunatic of the presentation of the petition for inquiry is to be by service on him of a copy of such petition, with a notice thereon indorsed, signed by the petitioner or by his solicitor, to the following effect, with such variations as circumstances may require :—

Mr. A.B.

Take notice that a petition, of which a copy is within written, was on the day of presented to the Lord Chancellor by me [or by C.D.,] of] and, that by virtue of and under the same, an inquiry has been ordered as to whether you are or are not of unsound mind, and incapable of managing yourself and your affairs, but that you may, in case you think fit, demand that such inquiry be had before a jury, in which case a notice of such your desire must be signed by you, and attested by your solicitor, and transmitted to the registrar in lunacy, at his office, Four Courts, Dublin, within seven days after your receipt of this present notice.

Dated this day

(Signed) C.D.

[or X.Y., of

Solicitor for the Petitioner, C.D.]

XIII.

Notice to alleged lunatic of report of medical visitor.

The notice to an alleged lunatic of a report of the medical visitor or visitors in lunacy, under Section 12 of the said Act, is to be to the effect following, with such variations as circumstances may require :—

Mr. A.B.

Take notice, the medical visitor (or medical visitors) in lunacy did on the day of make a report to the Lord Chancellor, stating that you are detained or taken charge of as a person of unsound mind [or that you are alleged to be a person of unsound mind], and that he is [or they are] of opinion that your property is not duly protected [or that the income of your property is not duly applied for your benefit]. And take notice, that such report having been duly filed, the Lord Chancellor has directed it shall stand and be proceeded with as a petition presented in

the matter of an alleged lunatic, and that therefore an inquiry has been ordered thereon by the Lord Chancellor, as to whether or not you are of unsound mind and incapable of managing yourself and your affairs; but that in case you think fit to demand that such inquiry may take place before a jury, a notice thereof must be signed by you and attested by your solicitor, and transmitted to the registrar in lunacy, at his office, Four Court, Dublin, within seven days after your receipt of this present notice.

Dated this day of

(Signed) X.Y.

XIV.

A notice under either of the two last preceding Orders, is to be served on the alleged lunatic, by being delivered to him personally; or, where by reason of the condition or situation of the alleged lunatic, or the other circumstances of the case, personal service cannot be effected, or it is deemed inexpedient to effect personal service, then by being delivered to some inmate, aged sixteen years or upwards, at the dwelling-house, or usual or last known place of abode of the alleged lunatic, within the jurisdiction, and an affidavit of service stating particularly the time and place and mode of service; and where there has not been personal service, the grounds and reason of such service not having been made is to be filed with the registrar in lunacy.

Mode of
service and
affidavit.

XV.

The notice by the Act authorised to be given by an alleged lunatic for demanding a jury, and which is by the Act required to be attested by a solicitor, may be to the effect following, with such variations as circumstances may require, that is to say:—

Notice by
alleged lunatic,
demanding a
jury.

In the matter of *A.B.*, an alleged lunatic.

I, the above named *A.B.*, having been on the day of , served with a notice of the presentation of a petition for an inquiry [or of the filing of a report, which has been directed to stand as a petition, and that an inquiry has been ordered] whether or not I am of unsound mind and incapable of managing myself and my affairs, do hereby demand that such inquiry as aforesaid be had before a jury.

Dated this day of

(Signed) *A.B.*

Witness,

M.N., of

Solicitor for the above-named *A.B.*

XVI.

Every inquiry as to the soundness or unsoundness of mind of an alleged lunatic shall, unless the Lord Chancellor do by an Order in the matter otherwise direct, be had before the Lord Chancellor, and the evidence shall, unless the Lord Chancellor do by an Order in the matter otherwise direct, be taken by affidavit.

Inquiry to be
before Lord
Chancellor,
and evidence
by affidavit,
unless other-
wise ordered.

XVII.

If jury be not demanded, inquiry to be set down for hearing before Lord Chancellor.

If the alleged lunatic shall not by notice demand a jury, the inquiry as to the soundness or unsoundness of mind of the alleged lunatic shall, upon production to the registrar in lunacy of attested copies of the affidavit or affidavits of the due service of the notice of the petition or report, and of the order for inquiry thereon, be set down by the registrar in lunacy for hearing before the Lord Chancellor for a day not less than six days after the date of the service of the notice upon the person last served therewith.

XVIII.

Time of filing affidavits.

All affidavits to be used upon the inquiry as to the soundness or unsoundness of mind of the alleged lunatic shall be filed in the office of the registrar two clear days prior to the day for which the inquiry is set down for hearing before the Lord Chancellor.

XIX.

If jury demanded, Lord Chancellor to determine mode of proceeding.

If the alleged lunatic shall serve a notice demanding a jury, the proceedings shall be as by this Order directed. The registrar in lunacy shall, upon production to him of such notice, forthwith set down the petition or report, as the case may be, for the Lord Chancellor's directions. If the Lord Chancellor shall so require the registrar shall, by letter addressed to the solicitor who signed the notice for the alleged lunatic, require the alleged lunatic to attend before the Lord Chancellor for personal examination; and notice that the petition or report has been so set down for directions; and (if the alleged lunatic is required to attend the Lord Chancellor) that the alleged lunatic is required to attend personally before the Lord Chancellor, shall forthwith be served by the petitioner or his solicitor, or the solicitor having the carriage of the report, upon the solicitor whose name shall be subscribed to the alleged lunatic's demand for a jury. If the attendance of the alleged lunatic shall have been required by the Lord Chancellor the person with whom he is residing shall be bound to produce him for personal examination, unless a physician shall certify that he is physically unable to attend.

Form of Application to the Lord Chancellor, &c.

XX.

Form of application to the Lord Chancellor.

All applications to the Lord Chancellor for the exercise by him of all or any of the powers by the Act or otherwise conferred upon or possessed by him in respect of the persons or property of lunatics shall, save where it has been otherwise provided by the Act or by these Orders, be made by petition or motion supported by affidavit in an existing lunacy matter.

XLI.

**Applications
under sections
68 and 70 to
be by petition.**

**Notice of
applications
under sections
68 and 70.**

[illegible]

Service of such notice.

Form of objection by alleged insane person.

† A misprint for "22nd and 23rd."

following, with such variations as the circumstances may require, that is to say :—

In the matter of *A.B.*, an alleged insane person.

I, the above-named *A.B.*, having been served with a notice of the presentation of a petition praying for an Order respecting my property, on the ground that I am of unsound mind and incapable of managing my affairs, do hereby give notice of my intention to object to such order being made.

Dated the day of

A.B.

Witness

C.D., Solicitor for the above-named *A.B.*

XXV.

Lord Chancellor may make Order on petition or on hearing, or refer to registrar in Lunacy.

The Lord Chancellor may, on consideration of such petition, as in the 21st Order mentioned, and the evidence in support thereof, either make an Order thereon, without any attendance of counsel, solicitor, or parties, or direct that the petition be set down for hearing, or may refer it to the registrar in lunacy to make any particular inquiry respecting any matter to which the petition relates.

XXVI.

Order to specify amount of the property of lunatic.

Every Order to be made by the Lord Chancellor under the said 68th, 69th, and 70th sections of the Act, shall, where the same can be readily ascertained (unless it has been so done in an Order previously made in the matter), specify whether the net amount of, or net estimated value of, the property of the lunatic does or does not exceed the sum of 700*l.* in respect of the corpus thereof, or the sum of 50*l.* sterling per annum, in respect of the income thereof, and in case the income of the net property exceeds 50*l.* a year, shall specify the clear annual income thereof.

XXVII.

Reference to the registrar in cases under sections 68, 69, and 70.

In case the Lord Chancellor shall, upon the hearing of a petition under the 68th, 69th, and 70th sections of the Act, declare it to be established to his satisfaction that the alleged insane person is of unsound mind and incapable of managing his affairs, then it may, by an Order of the Lord Chancellor, be referred to the registrar to inquire and report as to the nature of his insanity, of what his fortune consists, and the amount of his income, and what should be allowed for his maintenance, and out of what fund and to whom the same should be paid, who should be the committee of his person and property, and as to any other matters material to be considered in reference to the Order proposed to be made in the petition; and in making such inquiry as aforesaid, as to the state of mind of the alleged insane person, the registrar in lunacy, if he shall consider it necessary, may direct one of the medical visitors to visit the alleged insane person.

XXVIII.

The registrar is also to be at liberty to make an inquiry, and report his opinion upon any matter connected with the property, or the maintenance of any such insane person, or the maintenance of his family, as he may see fit.

Registrar in such cases may make inquiries.

XXIX.

The reports of the registrar under the preceding Orders shall (save and except in such cases as are mentioned in Section 46 of the Act concerning reports of the master), be submitted for confirmation without petition, and shall, except in such cases as aforesaid, contain the directions consequential on the confirmation thereof, and the fiat of the Lord Chancellor thereon shall give such reports the operation of Orders, subject to such other directions and provisions (if any), as the Lord Chancellor may think fit.

Form of the registrar's reports.

XXX.

The registrar may, if he deem it expedient for the better prosecution before him of any such reference aforesaid, direct that notice of the proceedings be given to any of the next-of-kin of the insane person, or to any other person, and no other person than such as the registrar shall direct to be served with notice as aforesaid shall be entitled to attend on the reference before him.

Registrar may direct notice to be given to next-of-kin.

Proceedings after finding of Lunacy.

XXXI.

Every Order to be made under the 15th section of the Act, in the matter of an alleged lunacy, declaring the alleged lunatic to be of unsound mind and incapable of managing his person or property, shall, unless the Lord Chancellor shall otherwise direct, contain directions that the petitioner, or such other person as the Lord Chancellor in his discretion may intrust with the carriage of the proceedings, shall lodge and file in the office of the registrar in lunacy, within a time to be specified in the Order, a state of facts upon oath and proposals for the management of the person and property of the lunatic, setting forth the following particulars:—

State of facts to be filed in office of registrar in lunacy and report to be made by the registrar thereon.

1. The lunatic's situation.
2. The nature of his lunacy.
3. Who is the most fit person to be appointed the committee of his person and of his estate.
4. Of what his fortune consists and the net amount or estimated value thereof.
5. The amount of his gross income.
6. The amount of his clear net income.
7. In what manner and at what expense, and by whom and where, he has been maintained; what is fit to be allowed for his past maintenance; whether anything, and what, is due, and to whom, in respect thereof, and to whom and out of what fund the same ought to be paid.

8. What is fit to be allowed for his future maintenance, from what time the allowance ought to commence, and out of what fund the same ought to be paid.
9. Whether any, and if so, what costs are payable out of the lunatic's estate, and to whom and out of what fund the same ought to be paid.
10. Whether any, and if so, what debts are due by the lunatic, and whether any special circumstances exist as to any of them.
11. Whether a receiver should be appointed over the estate of the said lunatic.

the registrar in lunacy, upon consideration of the state of facts and proposal so to be lodged with him as aforesaid, and upon consideration of such other matters relating thereto as the registrar may think necessary, or as may be brought before him by the parties, shall report thereon to the Lord Chancellor, and submit consequential directions.

XXXII.

Notice of proceedings under the foregoing Order.

In order the better to ascertain and certify the several matters in the state of facts and proposal aforesaid, and any other matters that may be necessary or convenient for framing the report to be submitted to the Lord Chancellor thereon, the registrar in lunacy shall be at liberty to direct notice of the proceedings in the office for that purpose to be served upon the parties who have had notice of the originating petition, or whose attendance at the hearing thereof may have been allowed by the Lord Chancellor; or upon such other persons as in the course of the proceedings the registrar may deem fit; and no other person, save as aforesaid, shall be entitled to attend before the registrar upon the preparation of the report.

XXXIII.

Form of report on state of facts.

The registrar in lunacy shall state the result of his inquiries under the foregoing Orders in distinct findings, each conversant with a distinct portion of the subject matter, and each such finding commencing, if possible, as a separate paragraph, and having such appropriate heading or title affixed thereto as may be found convenient.

XXXIV

Report to be submitted to the Lord Chancellor.

The registrar shall present for the consideration of the Lord Chancellor his report, with such consequential directions as he may think it expedient to suggest, and the parties attending before the registrar, upon the preparation of the report shall, before its presentation to the Lord Chancellor, have the same right of objection thereto, or to any part thereof, as belonged to parties attending before the master under the 42nd and 43rd sections of the Act.

XXXV.

If the registrar shall, in the course of the inquiries directed to him, be of opinion that any dealings with the lunatic's estate should be examined into, he shall bring such dealings under the consideration of the Lord Chancellor.

Inquiries as to past dealings with estate.

XXXVI.

[*This Order is obsolete. See Order IX. of General Order of February 1, 1883, printed at p. 34 below.*]

Appointment of new committee on death or discharge of former committee.

XXXVII.

The registrar is to be at liberty to permit any person whose attendance may appear to him to be proper, and for the security or advantage of the lunatic or his estate, other than the committee and next-of-kin of the lunatic, to attend on the proceedings or on any particular proceeding before him in the matter.

Attendance of parties.

XXXVIII.

The registrar is to be at liberty to direct that several parties appearing before him by different solicitors shall appear by the same solicitor, or otherwise at their own costs, or that several parties appearing before him by the same solicitor shall appear by different solicitors, and the parties are not to appear otherwise before the Lord Chancellor, except by special leave or at their own costs.

Solicitors for parties attending.

XXXIX.

The registrar is to be at liberty, on request or otherwise, to make a separate report or to state any circumstance specially with respect to the subject-matter of a report as he shall see fit; and is to be at liberty to make a special report or special certificate on any matter as he may see fit.

Separate reports.

XL.

In reports, certificates, orders, and other documents issued from or brought into the office of the registrar in lunacy, numbers are to be denoted by figures, and not by words, except in the conclusions of reports and certificates, and the ordering parts of Orders.

Figures for numbers.

XLI.

Any person in whose custody, possession, power, or control, the same may be, is to be at liberty to deposit any will, codicil, or testamentary paper of the lunatic in the office of the registrar in lunacy upon oath as he may direct, there to remain for safe custody.

Deposit of wills.

XLII.

Leases.

When any new letting or alteration in the terms of a tenancy of lands in a lunacy matter is proposed, the receiver or committee shall bring the matter of such proposal, with observations of his own in reference to the expediency of granting or withholding same by way of statement, into the office of the registrar in lunacy, who shall bring the same before the Lord Chancellor, and obtain his direction in respect thereof; but all applications for leases of longer duration than 21 years, or under any other exceptional circumstances, shall be made by the person seeking the same by petition to the Lord Chancellor.

Receivers.

XLIII.

Receivers.

If the Lord Chancellor shall refer the appointment of a receiver to the Land Judge, the proceedings shall be as directed by the rules regulating the appointment of receivers, and if he shall himself appoint a receiver, the receiver shall perfect his securities before the registrar in lunacy.

XLIV.

Persons ineligible for appointment as receivers.

No person shall be appointed a receiver unless independent of all the solicitors concerned in the matter, nor shall any practising barrister, or solicitor, or agent, or clerk to or otherwise in the employment of a solicitor, be appointed a receiver without the special leave of the Lord Chancellor.

XLV.

Appointment of receiver's solicitor.

No receiver shall directly or indirectly employ as his solicitor the solicitor for the committee of a lunatic's person or estate, or for any person interested or claiming to be interested, in the matter of the lunacy, nor the partner, town agent, clerk, or apprentice of such solicitor, in relation to the management of the lunatic's estate or to the passing of the receivership accounts, or to the business or duties in any respect of the office of receiver, and the Lord Chancellor may in his discretion apply all such means for the enforcement of this Order as heretofore had been applicable by the receiver master, or are now in use with the land judge.

The same rules as to appointment, &c., applicable to receivers in Lunacy matters as to other receivers, unless where inconsistent with these Orders.

XLVI.

Receivers appointed over the lands of lunatics are subject to the rules for regulating the appointment, accounts and control of receivers, in the same manner as other receivers, except where such are inconsistent with these Orders, or the Lord Chancellor shall otherwise direct.

XLVII.

All accounts of personal estate shall henceforward be taken by the registrar in lunacy.*

Accounts of personal estate to be taken by registrar.

XLVIII.

Where the receivership is conversant with personal estate and the income thereof, or in so far as any receivership relates to such estate and income, the registrar may allow a poundage not exceeding two and a half per cent., but it shall be lawful for the Lord Chancellor to allow a higher rate of remuneration if the circumstances of the case appear to him to justify it.

Remuneration to receivers of personal estate.

XLIX.

The registrar may accept as surety for a receiver the bonds of any guarantee society whose security is allowed by the land judge in cases before him.

Bonds of guarantee society.

Lunacy Fund.

L.

The account now standing in the books of the Governor and Company of the Bank of Ireland and in the books of the Accountant-General of the Chancery Division of the High Court of Justice in Ireland, entitled "To the separate credit of the lunacy fund," shall continue in future to be entitled as heretofore.

Lunacy Fund account.

LI.

The 75th section of the Judicature Act having provided that the powers and duties formerly in lunacy matters vested in and performed by the receiver master shall be exercised and performed by the Lord Chancellor and his officers, the certificates heretofore given by the master for the purpose of the lunacy percentage† under the 110th section of the Lunacy Regulation Act shall be prepared and given by the registrar, who shall obtain the approval of the Lord Chancellor of the same: and the Accountant-General of the Chancery Division of the High Court of Justice shall act upon all such certificates and orders of the registrar, when approved by the Lord Chancellor, as he had previously acted upon the certificates and orders of the master in like behalf, pursuant to the 110th section of the Lunacy Regulation Act.

Certificate of Lunacy percentage.

LII.

Such certificates shall be prepared by the registrar in lunacy on or before the 1st June in each year, for each lunatic or person of weak mind, who, at the time of making such

Certificates under preceding Order; when to be prepared.

* See Order IV. of General Order of February 1, 1883, printed at p.33 below.

† See Order XVII. of General Order of February, 1, 1883, printed at p. 36 below.

application, shall be under the care of the Lord Chancellor; and in the case of lunatics or persons of weak mind, who shall come under the care of the Lord Chancellor, between the 1st June in each year, and the 1st January in the year following, then, as soon after the declaration of lunacy, or, in the case of persons of weak mind, the appointment of a guardian, as the materials whereupon to found a certificate shall have reached the registrar's hands.

LIII.

Evidence on which the Lord Chancellor may approve certificate.

When submitting to the Lord Chancellor a certificate of the clear annual income of a lunatic or person of weak mind it shall be sufficient for the registrar in lunacy in all cases where the clear annual income of the lunatic has not been found by an Order of the Lord Chancellor, to submit to the Lord Chancellor the last return of the committee of the estate as to the income of the lunatic under these Orders, or in the case of a person of weak mind, protected under the 103rd section of the Act, the last return of the guardian protecting such person; and if the Lord Chancellor shall not be satisfied with any return of income so submitted to him, or shall require additional evidence, he shall annex to the return a statement of the particulars of further information or evidence as to the accuracy of the said return which he may require,

LIV.

Date and effect of payment of the percentage.

A payment of the amount certified in any first certificate, shall relieve the income of the lunatic from further charge for percentage under the Act for 12 months from the date of the declaration of lunacy; or, in the case of a person of weak mind, for 12 months from the date of the first Order appointing a guardian of the property of such person; and payment of the amount certified in any subsequent certificate shall relieve the income of the lunatic from further payment during 12 months from the date of such certificate.

LV.

Accountant-General to transfer, &c. without further order.

The Accountant-General shall, upon the lodgment with him of the certificate approved by the Lord Chancellor, forthwith and without any further Order, cause to be transferred in the books of the bank from the credit of the said Accountant-General, and the separate credit of the matter of the lunatic, to the "Separate credit of the lunacy fund," so much cash or stock then standing, or next after to stand to the separate credit of the matter of the lunatic, as shall be equal to the amount specified in the certificate approved by the Lord Chancellor, as payable to the lunacy fund by way of percentage under the 109th section of the Act.

LVI.

In every case falling within the 109th section of the Act, but where there may not be sufficient stock or cash standing to the credit of the lunacy matter to meet any payment of percentage which has accrued or may accrue, and in every case also falling within said section where accounts are not passed before the land judge or other authority in that behalf, pursuant to the provisions of the Judicature (Ireland) Act, 1877, the registrar in lunacy is hereby authorised to require the committee of the estate or receiver, or other person having the care of the property of a lunatic or person of weak mind, out of the first funds applicable to that purpose, within a time to be named by the registrar in lunacy, to lodge in the bank of Ireland, with the privity of the Accountant-General of the Chancery Division of the High Court of Justice in Ireland, "To the separate credit of the lunacy fund," the amount of percentage as certified by the registrar; and the person so lodging the amount of percentage, shall produce a receipt for same to the chief clerk in the office of the registrar in lunacy within one week after such lodgment.

As to payment of percentage where no stock or cash in Court.

LVII.

The Lord Chancellor may, from time to time, or at any time, having regard to the necessity of providing a fund for the necessary outgoings of the estate, fix and order the maximum sum of cash which shall at any one time stand to the credit of the matter of any lunacy, and shall cause such Order to be transmitted to the Accountant-General, and so often as the amount of cash standing to the credit of the said lunacy matter shall exceed by the sum of 50*l.* the amount specified in any Order of the Lord Chancellor, to be made under this Order, and if no such Order shall have been made, shall amount to the sum of 100*l.*, such surplus of cash or such sum of cash, as the case may be, shall, without further Order, be invested by the said Accountant-General in the purchase of Government New Three percent. Stock, to be transferred in the books of the bank to the credit of the Accountant-General, and the separate credit of the said lunacy matter.

Surplus cash to be invested without Order.

LVIII.

The foregoing Orders respecting percentage shall extend and be applied to the property of lunatics under the protection of the Lord Chancellor by virtue of the transmission of the record of an inquisition from England, and its entry of record in the Chancery of Ireland, except in respect of income arising from the property of such persons not within the jurisdiction of the Lord Chancellor, nor administered under his authority; and shall apply also to property of any persons residing out of Ireland, and declared idiot, lunatic, or of unsound mind, according to the laws of the place where they are residing, where the Lord Chancellor makes an Order affecting

Applications of percentage and fees to cases mentioned in section 114 &c.

the stock, or any portion of the capital, stock, or shares of such person as last aforesaid, or the dividends thereof, and the Orders and practice in lunacy in Ireland as to fees shall extend and apply to all proceedings in the matter of such lunatics as aforesaid.

Copies of Documents.

LIX.

Copies to be made in office of registrar.

The following copies shall continue to be made in the office of the registrar in lunacy, viz., that is to say, office copies of reports, accounts, and affidavits, to be made for and taken by the party filing the same; copies of documents in the office of the registrar in lunacy to be made for and taken by the party having the conduct of the proceedings.

LX.

Copies by solicitors.

Copies of proceedings in lunacy, and of the documents relating thereto, except such copies as are mentioned in the preceding Order, instead of being made and delivered by the officers of the court at the office in which they are filed, shall be made, delivered, charged, and paid for according to the following Orders:—

LXI.

Applications for copies to be in writing.

The party or his solicitor requiring any copy, save as excepted in the Order, shall make a written application to the party by whom the copy ought to be delivered, or his solicitor, with an undertaking to pay the proper charges.

LXII.

Copies to be supplied by solicitor.

Upon such requisition being made, with such undertaking as aforesaid, copies of such proceedings or documents shall be supplied by the party, or his solicitor, filing the same, or who, under the Order, may have taken office copies thereof.

LXIII.

Copies when to be ready.

The copies shall be ready for delivery at the expiration of 48 hours after the delivery of such request and undertaking, or within such other time as the Lord Chancellor may in any case direct, and shall be delivered accordingly on demand, upon payment of the proper charges.

LXIV.

Copies of bills of costs.

Copies of bills of costs shall be made side for side, so as to correspond with the originals of such bills of costs.

LXV.

Folios to be numbered.

The folios of all copies shall be numbered consecutively in the margin thereof, and the name and address of the party or solicitor by whom the same are made shall be endorsed thereon; and such party or solicitor shall be answerable

for every such copy being a true copy of the original proceeding, or document, of which it purports to be a copy, as the case may be. Solicitor to be answerable for accuracy.

LXVI.

All copies to be delivered by parties or their solicitors should be written on paper of a convenient size, with a sufficient margin, and in a neat legible manner, similar to that which is usually adopted by law stationers, and unless such copies are so written, the parties or solicitors delivering them shall not be entitled to be paid for the same. Copies to be legibly written.

LXVII.

When any party or solicitor who is required to deliver any such copy, either refuses to deliver the same, or does not deliver the same within the period of 48 hours allowed by the Order, the person making such application shall be at liberty to procure a copy from the office in which the original shall have been filed, in the same way as if no such application had been made to the party or solicitor, and in such case no costs shall be due or payable to the party or solicitor so making default in respect of the copy so applied for. Default to supply copies.

LXVIII.

The taxing master shall not allow any costs in respect of any copy taken as aforesaid to the party taking such copy, unless the same shall appear to him to have been requisite. Costs of copies, when disallowed.

LXIX.

All office copies and other copies of pleadings, proceedings, and documents in lunacy, shall (except transcripts of accounts made in the office of the accountant-general) be counted and charged for after the rate of 72 words per folio, and where such copies, or any portion thereof, shall comprise columns containing figures, each figure shall be counted and charged for as one word. Length of folio.

Fees.

LXX.*

The following shall be the scale of fees in the lunacy office :— Scale of fees.

Scale of Fees in Office of Registrar of Lunacy.

	s.	d.
Reports, affidavits, statements, and accounts—		
Filing fee and first folio	2	0
Every succeeding folio	0	4
Making out Orders—		
First folio	2	0
Every succeeding folio	0	4
Attested copies of reports, accounts, statements, and affidavits—		
Every folio	0	4
For every search	2	0

* Additional fees were prescribed by the General Order of November 29, 1886, printed at p. 37 below.

LXXI.

Lodgment of fees.

The fees shall be received by the chief clerk in lunacy, or in absence, by the junior clerk, and entered in a book to be kept for that purpose; and an account of the amount received each month shall be made up by the chief clerk, and checked by the registrar in lunacy, and the amount ascertained by the registrar to have been received in each month shall (after deducting such sums as the Lord Chancellor, under the 117th Section of the Act, shall have ordered to be paid out of the fees of the office), within 10 days from the end of such month, be lodged by the chief clerk in the bank, upon the certificate of the registrar in lunacy, to the "Separate credit of the lunacy fund." Should the registrar find it necessary to retain the amount, or any portion thereof, to meet anticipated outgoings, he may apply to the Lord Chancellor for permission so to do; and shall enter the sum which the Lord Chancellor may authorise him to retain upon the debit side of the account for the current month.

LXXII.

Registrar to submit schedule of income and percentage to the Lord Chancellor.

In order to ascertain more easily and expeditiously the net annual income of lunatics or persons of weak mind, for the purpose of fixing the percentage, the registrar in lunacy, when submitting to the Lord Chancellor his certificate of the net annual income of lunatics or persons of weak mind, and of the percentage payable thereon, shall transmit to the said Lord Chancellor a schedule, in the form hereunto annexed, wherein the said registrar shall deduct from the gross annual income of the lunatic, as furnished by the committee or receiver or guardian, the following outgoings, viz.:—Rents, rentcharges, rates, taxes, and all other annual charges, ordinary repairs, the costs of passing accounts, if any, the costs of management, and all other ordinary expenses incident to the lunacy matter, together with annuities and the interest on incumbrances when the lunatic's estate is subject to such charges. But no deduction shall be made from the gross income in respect of the lunatic's maintenance, or of any other than usual or annual repairs, or in respect of extraordinary costs, or of the erection of new buildings, or in respect of gratuities or allowances assigned by the Lord Chancellor to the lunatic's relatives out of the lunatic's estate.

Schedule above referred to.

Matter.	Gross Annual Income as furnished by Receiver or Committee.	Deductions.	Net Annual Income.	Amount of Per-centage payable.
A.B. - -			£	£

Visitation of Lunatics.(a.)—*By Legal Visitors.*

LXXIII.

It shall be the duty of the registrar in lunacy, on or before the 1st of April in each year, to apply to the committee of the estate of each lunatic under the care of the Court, or if in the opinion of the registrar in lunacy a more complete return can be obtained from the receiver in the matter, then to such receiver, for a return in duplicate in the following form :—

Return by the committee of estate or receiver.

*Return.**In Lunacy.*

In the matter of
a lunatic. { The committee of the estate, or receiver, of the above lunatic is required to answer the following questions :—

*Questions.**Answers.*

1. Is all the lunatic's property under the care of the receiver or committee acting as receiver in this case, and included in the accounts which are passed in the court?—Or invested under the orders of the Court?—If not, give full particulars of any property requiring to be protected.
2. What was the estimated annual value on the 31st December last of all the property to which the lunatic is entitled absolutely?
3. What is the amount of all the charges against such property?
4. What is the gross annual income of the lunatic's property's?

	£	s.	d.
(a.) From dividends on Government stock standing to credit of this matter	-	-	-
(b.) From other property	-	-	-
Total gross income	-	-	£

Questions.

Answers.

£ s. d.

5. Amount of deductions
from above.

- (a.) Head and quitrents - - -
 (b.) Poor rates - - -
 (c.) Income tax - - -
 (d.) Receiver's fees - - -
 (e.) Costs of passing last account (if
any) - - -
 (f.) Interest on charges or annuities
(if any) - - -
 (g.) Other annual ordinary expenses
incident to the management of
the lunatic's estate - - -

NOTE.—Such expenses not to in-
clude maintenance of lunatic,
allowances to relatives, or expenses
of new buildings or extraordinary
repairs, or other extraordinary
expenses.

Total deductions - - £

Net annual income - £

6. What is the present
annual application of
the net income of the
lunatic?

	Amount applied.	Date of Order for Appli- cation.	Particulars, if any, of Application of such Amount.
(a.) For maintenance and support of lunatic -			
(b.) For maintenance and support and educa- tion of the following relatives or persons having claims on lunatic:—			
Name. Residence.			
(1.)			
(2.)			
(3.)			
(4.)			
(c.) Any other object -			

7. Is the lunatic's prop-
erty now so man-
aged as to produce
the full income it
should produce under
good management?

8. Have you any sug-
gestion to make as
to its management,
under the heads spe-
cified in question
No. 4?

9. Does the lunatic get
the fair benefit of
the sum allowed for
maintenance?

Questions.

Answers.

10. Are the arrangements for maintenance and care of the lunatic satisfactory?
11. Should any change be made in the way of increasing or reducing the sum allowed for maintenance, or in the way of regulating the mode of its application?
12. Are the relations of the lunatic, or the persons having claims on him, who have allowance for their education, support, or advancement in life, still in the circumstances on account of which the allowance was originally made?
13. Are there any other relatives or persons who have equal or stronger claims for an allowance to be made to them?

Dated this day of 187 Committee or receiver of the estate of the said lunatic.

Residence of committee or receiver at near post town.

LXXIV.

In case any receiver or committee of the estate neglects to make a return within the time fixed in the letter applying for the same, his neglect shall be taken into consideration in allowing him costs out of the lunatic's estate, and his continued neglect shall be considered grounds of removal.

Neglect of receiver or committee of estate to make return.

LXXV.

The registrar in lunacy shall prepare from time to time, with respect to each lunatic under the care of the court, an abstract of the Orders in force containing any special directions as to the management of the lunatic's property or as to the application of his income, and shall add to such abstract of Orders a statement of any increase which may have accrued in the fortune of the lunatic, or any decrease which it may have undergone, and of any other circumstances in relation to the income of the lunatic and the application thereof, which in the judgment of the registrar ought to be placed before the Lord Chancellor or before the medical or legal visitor.

Registrar to prepare an abstract of Orders as to estate of lunatic.

LXXVI.

Reference to
legal visitor.

In every case in which the registrar in lunacy shall find the return of the committee of the estate or receiver to be unsatisfactory, or shall find suggestions in it that require to be investigated, before the general solicitor of minors and lunatics is instructed to proceed *ex-officio* in the matter, such return, with the abstract of Orders prepared under preceding Order, shall be sent to one of the legal visitors for investigation and report.

LXXVII.

Fees payable
to legal
visitor.

Each legal visitor shall be entitled to a fee of 2*l.* 2*s.* for his report, and in case the investigation shall involve special expense or unusual labour, such additional fee as the Lord Chancellor shall fix, and the Registrar in Lunacy on the receipt of the report shall give to such legal visitor a certificate, on which the committee of the estate, or receiver in the matter, shall pay the amount of the fee certified, and shall be allowed credit for the same in passing his accounts.

(b.)—*Medical Visitors.**

LXXVIII.

Return by the
committee of
the person.

It shall be the duty of the registrar in lunacy, before the 1st day of October in each year, to apply to the committee of the person of each lunatic under the care of the court for a return in duplicate in the following form:—

Form of Return.

In the matter of } In Lunacy.—The committee of the person of the
above lunatic is required to answer the following
a lunatic. } questions:—

1. With whom does the lunatic now reside?
2. In what house does the lunatic now reside—what is the address of the house and the nearest post town?
3. Has the lunatic resided with any other person, or in any other house, within the last 12 months? And if so, state with whom, and where, and for how long a time in each case.
4. What bedroom does the lunatic occupy, and is it occupied by any, and what other person?
5. What sitting-room does the lunatic use—for how many hours in each day—and is it used by any, and what other person?
6. What is the kind of board provided for the lunatic, and if the lunatic does not reside with you, what annual sum was paid or agreed to be paid for board for the year ending the quarter day preceding your return?
7. What sum was expended in providing clothes for the lunatic for the same period?
8. What sum in providing medical attendance?
9. What sum in providing carriage or horse exercise?
10. What sum in any, and what other expenses?

* By the General Order of June 8, 1892 (printed below), lady visitors may be appointed for the City and County of Dublin.

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11. What is the present state of the lunatic's mind and have you observed any, and what, symptoms of lunacy or idiocy in the lunatic during the last 12 months?
12. What is the present state of the lunatic's bodily health, and has the lunatic had any, and what, serious illness within the last 12 months?
13. Have you any statement to make as to any matter affecting the manner in which the lunatic has been treated or cared for during the last 12 months? If so, state it.
14. Have you any suggestions to offer as to any, and what changes in the residence, accommodation, or other matter affecting the person, or mental or bodily health of the lunatic? If so, state them.
15. If the lunatic does not reside with you, when did you last visit the lunatic, and how often, and when did you visit the lunatic within the last 12 months?

Dated this day of 187 .

(Signed)

Residing at near Committee of the person of lunatic.
post town.

LXXIX.

In case any committee of the person neglects to make a return within the time fixed in the letter applying for the same, his neglect shall be taken into consideration in allowing him costs out of the lunatic's estate, and his continued neglect shall be considered grounds of removal.

Neglect of committee of the person to make return.

. LXXX.

The registrar in lunacy shall prepare, with respect to each lunatic under the care of the court, an abstract of the Orders in force on the 1st of January in each year, directing with whom and where the lunatic is to reside, how much is to be allowed for board, clothing, medical attendance, and any other special expense—and any special directions with respect to the person or care of the lunatic, or arrangements for health or personal comfort—and shall add to such abstract of Orders a statement of any information as to the nature of the lunatic's delusions, or as to the lunatic having been at any time violent or dangerous.

Registrar to prepare abstract of Orders as to person of lunatic.

LXXXI.

The registrar in lunacy shall forward to each medical visitor (not being the lunatic's regular medical attendant, or the medical attendant of the committee of the lunatic's person, or of the person with whom the lunatic resides) a copy of the abstract of Orders as to residence, maintenance, and care of each lunatic which he is to visit, and information so prepared as before directed, and a copy of the last return of the com-

Copy of abstract to be furnished to medical visitor.

mittee of the person of the lunatic, and the following form of report:—

Form of Report.

In the matter of } In Lunacy.—The Lord Chancellor requests the
a lunatic. } medical visitor will visit without previous notice to
the committee of the person, or to the person in
whose care the lunatic is, so as to ascertain, as far as
possible, the usual or ordinary way in which the lunatic is cared for. The
medical visitor will also take care to have an interview with the lunatic,
apart from the person or persons in charge, so as to ascertain if the lunatic
be really satisfied with the way he or she is treated, or if there be any just
cause of complaint. The medical visitor is to fill up this report in duplicate,
and return same within one week after the completion of his inspection of
the lunatic.

1. State the dates of your visits, if more than one, the hour of the day, and the duration of each visit.
2. In what room did you find the lunatic, and does he or she get the benefit of the rooms stated to be for his or her use?
3. Did the accommodation appear to you to be suitable, considering the sum allowed for the lodging of the lunatic?
4. Did the lunatic appear satisfied with the way he or she was boarded, or did you consider the board, as far as you ascertained, suitable for the sum allowed?
5. In what manner was the lunatic clothed—did he or she seem satisfied with the clothes provided—and did the clothes in use seem suitable, considering the sum allowed?
6. Did the lunatic appear to have got the benefit of any other special expense allowed or charged for?
7. Did the Orders and directions of the Lord Chancellor as to the care and accommodation of the lunatic, as contained in the abstract sent herewith, appear to you to have been complied with? If not, state what omission you observed.
8. What do you consider to be the present state of the lunatic as to mental health?
9. What do you consider to be the present state of the lunatic as to bodily health?
10. Have you any statement to make as to any matters which came under your observation, affecting the manner in which the lunatic is treated or cared for? If so, state it.
11. Have you any suggestions to offer as to the care or treatment of the lunatic for the future? If so, state them.

Dated this day of 18

(Signed)

Medical visitor, residing at

LXXXII.

Fees to medical
visitor under
11th section.

The ordinary fee for reports of visitors under the 11th section of the Act shall be two guineas; but when the property exceeds 2,000*l.* principal, or 200*l.* per annum, or the visitor has to travel five miles to visit the alleged lunatic, the registrar may allow three guineas; but any higher fee can only be allowed by direction of the Lord Chancellor.

Upon the presentation of every petition praying an inquiry as to the soundness or unsoundness of mind of an alleged lunatic, the petitioner shall be responsible for the payment of the fee of the medical visitor under the 11th section aforesaid.

LXXXIII.

Each medical visitor shall be entitled to a fee of 2*l.* 2*s.* for his first report in the case of each lunatic after the declaration of lunacy, and 1*l.* 1*s.* for each subsequent report which he is required to make; but where the property is of the amount specified in the preceding Order, or the visitor has to travel more than five miles to visit the lunatic, the registrar may allow three guineas for the first report and two for each subsequent report. Any higher fee shall be allowed by the Lord Chancellor only; and the registrar in lunacy, on the receipt of the report, shall give to such medical visitor a certificate on which the committee of the estate or the receiver in the matter shall be at liberty to pay the amount of the fee certified, and shall be allowed credit for the same in passing his accounts.

Fees to medical visitor after finding.

LXXXIV.

The returns of receivers and of committees of the estate and of the committees of the person respectively, shall be filed by the registrar in lunacy, without any fee for filing the same; but as to persons applying for copies or seeking to peruse the returns, shall be subject to the same fee and rules as affidavits.

Returns to be filed without payment of fees.

LXXXV.

The reports of the legal and medical visitors respectively shall also be filed by the registrar in lunacy without any fee for filing the same, and shall be considered as confidential documents for the information of the Lord Chancellor, and shall not be open to perusal, nor shall copies be given without leave of the Lord Chancellor.

Reports of visitors to be filed without payment of fees.

LXXXVI.

[*This Order is obsolete.**]

The Land Judge to be furnished with last statement of committee, &c.

As to Proceedings with respect to Persons of Weak Mind and temporarily incapable of managing their Affairs, under the 103rd Section of the Act.

LXXXVII.

All applications in pursuance of the 103rd section of the Act shall be made by petition to the Lord Chancellor, and should be verified and signed by the petitioner, and be attested by a solicitor of the High Court of Justice in Ireland, and every such petition shall be accompanied with a fair copy, certified by the solicitor as a true copy, and shall contain clear and distinct statements to the following effect, viz. :—

Applications under 103rd section to be by petition.

1. The name, residence, age, and description of the person alleged to be of weak mind.

* See General Order, dated January 30, 1886, printed at p. 36 below.

2. The person or persons under whose care or in whose custody the person alleged to be of weak mind then is, and has been for the period of one month prior to the presentation of the petition.
3. The physical illness or injury whereby the person alleged to be of weak mind is temporarily incapable of managing his affairs, and requires the protection of the Lord Chancellor, and the probable duration of such illness, or of the consequences of such injury.
4. The nature and amount of the property of the person alleged to be of weak mind, with the net amount or net estimated value of the corpus thereof, and the clear net income thereof applicable to the maintenance and ordinary expenditure of the person of weak mind; or in case the same cannot be given precisely, the nearest estimate or approximation thereto which the person presenting the petition can give.
5. The reason whereby it is necessary and advantageous for the person alleged to be of weak mind that an application should be made under the 103rd section of the Act.
6. The name, residence, description, occupation and property of the person whom it is proposed to appoint as the guardian of the property and person of the person alleged to be of weak mind.
7. The names and residences of the heir-at-law and next-of-kin of the person alleged to be of weak mind.
8. The name and registered place of business in Dublin of a solicitor upon whom notices in the matter may be served.

And shall contain an undertaking on the part of the petitioner in case the petition is dismissed or not proceeded with to pay the costs or expenses of any visitation of the person alleged to be of weak mind by the legal or medical visitor, prior or incident to the inquiry before the Lord Chancellor.

LXXXVIII.

Notice of
petition.

The notice of every petition under the 103rd section of the Act is to be signed by the petitioner, and in the form and of the effect following, with such variations as circumstances may require.

A.B.

Take notice, that on the day of 18 , a petition was presented to the Lord Chancellor by *C.D.*, of , under the 103rd section of the Lunacy Regulation (Ireland) Act, stating that you are a person of weak mind, and temporarily incapable of managing your affairs, and praying that *E.F.*, of , should be appointed to be the guardian of your property. And take notice that such petition having been duly filed, an inquiry as to the matters therein alleged will take place before the Lord Chancellor, in his Chambers at the Four Courts, Dublin, on the day of 18 , or at the next opportunity after. In case you think fit to oppose the appointment of a guardian of your

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property, as prayed by such petition, a notice that you intend or desire to oppose the appointment of such guardian of your property must be served by you, and attested by a solicitor on your behalf, and filed in the office of the registrar in lunacy, at the Four Courts, Dublin, and notice given to _____, the solicitor named in the petition, at _____ his residence, Dublin _____, within four days.

Dated this _____ day of _____, 18 _____
(Signed) X.Y.

LXXXIX.

The notice under the last preceding Order is to be served upon the person alleged to be of weak mind by being delivered to him personally. An affidavit of service, stating particularly the time and place and mode of service, is to be filed with the registrar in lunacy. Notice of service of petition.

XC.

The notice of objection, to be given by the person alleged to be of weak mind, may be to the effect following, with such variations as the circumstances may require, that is to say:— Notice of objection.

In the matter of *A.B.*, a person alleged to be of weak mind and temporarily incapable of managing his affairs.

I, the above-named *A.B.*, having been served with the notice of the presentation of a petition praying for an order under the 103rd section of the Lunacy Regulation (Ireland) Act, 1871, that a guardian of my property should be appointed, on the ground that I am of weak mind and temporarily incapable of managing my affairs, do hereby give notice that it is my intention to object to such Order being made.

Dated this _____ day of _____, 18 _____

Witness,
C.D.,
Solicitor for the above-named *A.B.*,
No. _____ Street, Dublin.

XCI.

The registrar in lunacy, on receiving such petition, shall immediately transmit the copy lodged with him under the 7th of these Orders to one of the visitors in lunacy (medical or legal, as the nature of the case may require), with directions to immediately visit the person named in the petition, and to ascertain and report his opinion of the matters stated therein, and whether the person to whom it relates is a proper subject for the application of the provisions of the Act as to persons of weak mind and temporarily incapable of managing their affairs, and the extent to which such person is capable of understanding the nature and effect of the proceedings proposed to be taken for the protection of his property; and the visitor in lunacy shall explain to the person alleged to be of weak mind that, in case he thinks fit to oppose the proceedings, the proper course for him to take is, within four days to instruct his solicitor to give the notice of his objection to the registrar in lunacy specified in the notice he has received. Copy of petition to be forwarded to registrar.

XCII.

When petitions under 103rd section are to be heard.

Petitions under the 103rd section of the Act shall not be taken into consideration until the expiration of six clear days from the return of the report of the visitor, and shall then be heard by the Lord Chancellor in private; and the Lord Chancellor may, upon consideration of any such petition and the evidence in support thereof, and the report of the visitor of the court, either make an Order thereon without the attendance of counsel, solicitor, or parties, or direct that the petition be set down for hearing before him in chamber.

XCIII.

Medical certificates.

Every such petition shall be accompanied by two certificates, each signed by a legally qualified medical practitioner, to the effect that the person alleged to be of weak mind is of weak mind and temporarily incapable of managing his affairs, in each of which certificates shall be stated the cause whereby the person alleged to be of weak mind and temporarily incapable of managing his affairs, is of weak mind and incapable of managing his affairs, and the probable duration of such weakness of mind and incapacity.

XCIV.

Undertaking of guardian.

* Every such petition shall also be accompanied by an undertaking in writing, to be signed by the person whom it is proposed to appoint as the guardian of the person alleged to be of weak mind, to act as such guardian, and to execute, if by the Lord Chancellor so directed, a bond in such amount as to the Lord Chancellor may seem fit for the due performance of his duty as such guardian.

XCV.

Accounts to be filed monthly.

It shall be the duty of every guardian of a person of weak mind to file in the office of the registrar in lunacy a monthly account of all moneys or other property of the person of weak mind by him received, sold, conveyed, assigned, or disposed of, and the mode in which the same, or the proceeds thereof, had been by him applied, and also a statement of the moneys or other properties of the person of weak mind then in his possession, power, or control, and every such account shall be accompanied by a statement, to be signed by such guardian, of the then physical and mental condition of the person of weak mind, and the probable duration of the weakness or incapacity of the person of weak mind.

XCVI.

Account to be verified.

Every account to be filed in the office of the registrar in lunacy under the preceding Order, by any guardian to be appointed under the 103rd section of the Act, shall be verified by the affidavit of such guardian, and every such account shall be vouched and passed by the registrar in lunacy.

XCVII.

The registrar in lunacy shall specially report to the Lord Chancellor all such matters and questions to arise upon the passing and vouching of any account to be filed under the preceding Orders by any guardian of a person of weak mind, as shall to him appear necessary, and all such matters and questions so reported by the registrar in lunacy shall be considered and disposed of by the Lord Chancellor in chamber, and the day and hour at which such matters and questions shall be taken into consideration and disposed of by the Lord Chancellor in chamber shall be signified by the registrar in lunacy, by notice by letter through the General Post Office, to the solicitor who shall have been named in the petition, and such solicitors as shall have been permitted to appear in the matter, such notices to be served at the registered places of business in Dublin of such solicitors.

Registrar may specially report.

XCVIII.

The registrar in lunacy is to be at liberty to permit any person whose attendance shall appear to him to be proper, and for the security or advantage of the person of weak mind, or his estate, other than the person by whom the petition is presented, to attend the proceedings, or any particular proceeding before him in the matter, and every such person so permitted to attend as aforesaid shall cause an appearance to be entered for him in an appearance book to be kept for such purpose in the office of the registrar, which book shall not be open to public inspection.

Parties permitted to appear.

XCIX.

Every guardian to be appointed under the 103rd section of the Act shall be subject to the power, authority, orders, and control of the Lord Chancellor, in the same manner and to the same extent as if he had been appointed to be a receiver over an estate subject to the management and control of the Chancery Division of the High Court of Justice in Ireland.

Guardian to be subject to Orders, &c., as if a receiver.

C.

When an Order shall have been made under the 103rd section of the Act, appointing a guardian of the property of any person of weak mind, the registrar in lunacy shall direct one of the medical visitors, within one month previous to the expiration of such Order, or at such times and in such manner as by the Lord Chancellor shall have been directed or ordered, to visit such person of weak mind, and to report to the Lord Chancellor as to the physical and mental condition of such person of weak mind, and every such report shall be filed in the office of the registrar in lunacy, and shall by the registrar in lunacy, upon receipt thereof, be laid before the Lord Chancellor for his consideration.

Reports to be filed in office of registrar.

CI.

Last account
of guardian.

Every guardian of the property of a person of weak mind appointed under the 103rd section of the Act, shall lodge with his last account to be passed by him before the registrar in lunacy pursuant to the preceding Orders, or at an earlier period if called on, a return of the net amount or net estimated value of the corpus of the property of the person of weak mind, and the clear net income thereof applicable to the maintenance and ordinary expenditure of such person, and the registrar in lunacy shall submit such return to the Lord Chancellor, and shall transmit to the guardian an office copy of the registrar's certificate ordering the amount payable, and the guardian shall thereupon pay into the Bank of Ireland the amount specified in such certificate, and the amount so paid by any such guardian shall be received and placed by the governor and company of the bank with the funds of the Accountant-General, to the "Separate credit of the lunacy fund ex-parte the guardian of A.B., a person of weak mind"; and the final account of any such guardian shall not be passed by the registrar in lunacy until a receipt for the lodgment of the sum to be specified as aforesaid shall be produced to him by the said guardian.

CII.

Taxation of
costs.

The registrar in lunacy may direct that any bill of costs incurred in any proceeding to be instituted under the 103rd section of the Act be referred for taxation to the proper taxing master; and the taxing master to whom such bill of costs shall be referred for taxation shall duly tax and certify the amount due upon the same, as if he had been directed to tax and certify the same by an Order of the Lord Chancellor.

CIII.

Statement of
facts on death
of lunatic
before the
appointment of
committee of
estate, &c.

When any lunatic so found by inquisition, or so declared by an Order of the Lord Chancellor under the 15th section of the Act, shall die before the appointment of a committee of his estate, or after the death of a committee already appointed and before the appointment of another, unless in the case of a joint committee where there is survivorship the petitioner in the lunacy matter, or any other person to whom the Lord Chancellor may have given the carriage of the proceedings, shall bring in and lodge in the office of the registrar in lunacy the statement of facts which the committee of the lunatic's estate is directed by the 52nd section of the Act to bring in and lodge in the office of the master, and the registry in lunacy shall report thereon and shall proceed in relation thereto, as the master is directed to report and to proceed upon the statement of the committee under the 52nd and 54th section of the Act.

CIV.

The report of the registrar under the preceding Order shall be confirmed in like manner as the report of the master upon the statement of facts lodged by the committee of the lunatic's estate, under the 52nd section of the Act. Report; how confirmed.

CV.

Having regard to the cessation of the office of receiver master, henceforward upon the death of a lunatic the committee of the lunatic's estate shall lodge and file in the office of the registrar in lunacy the statement of facts which he is directed by the 52nd section of the Act to bring in and lodge in the office of the master; and the registrar shall report thereon and proceed in relation thereto as the master is directed to report and proceed upon the statement of the committee under the 52nd and 53rd sections of the Act; and such report shall be subject to the provisions of the 54th section of the Lunacy Act, in the same manner as formerly a master's report. Statement of facts by committee after death of lunatic.

Miscellaneous.

CVI.

All petitions, affidavits, reports, statements, and accounts, and other written documents required to be filed or recorded in the office of the registrar in lunacy, or in lunacy matters in any of the offices of the Chancery Division of the High Court of Justice in Ireland, other than receiver's accounts, copies of accounts in the office of the Accountant-General of the High Court of Justice, and bills of costs and copies of bills of costs in the offices of the taxing masters, shall be entitled "In lunacy, in the matter of *A.B.* a lunatic," or "an alleged lunatic," or "a person alleged to be of weak mind," as the case may be, and shall be written on cream-wove machine-drawing foolscap folio paper, 18lbs. per mill ream, with an inner and an outer margin; and all attested copies of any such document shall be written on paper of the same description, ruled, with 27 lines, and shall contain three folios, of 72 words in each page. Miscellaneous.

CVII.

The offices of the registrar in lunacy shall be open on the same days as the offices of the High Court of Justice, except that in the months of August, September, and October, only such officers and on such days as shall by the Lord Chancellor be directed, need attend. Vacation in Lunacy Department.

Dated this 27th day of June, 1879.

J. T. Ball, C.

GENERAL ORDER IN LUNACY, DATED NOVEMBER 10, 1881.

Lord Chancellor.

I, the Right Honourable Thomas, Baron O'Hagan, of Tullahogue, Lord High Chancellor of Ireland, intrusted by virtue of Her Majesty the Queen's sign manual with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, in exercise of the powers and authorities in this behalf vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, order as follows:—

Where an originating notice of application by or upon the part of tenants to the Land Commission Court has been served upon the committee of a lunatic's estate, or upon the receiver in the matter, it shall be lawful for the registrar in lunacy to authorise, by ruling the committee to appear and answer on behalf of the lunatic, or to make arrangements with the tenants out of Court, subject to the approval of the registrar; but the costs of such appearance and answer, if decreed by the Land Commission Court against the committee, shall not be paid out of the lunatic's estate without an Order of the Lord Chancellor in that behalf.

Dated this 10th day of November, 1881.

O'Hagan, C.

GENERAL ORDERS IN LUNACY, DATED FEBRUARY 1, 1883.

Lord Chancellor.

I, the Right Honourable Hugh Law, Lord High Chancellor of Ireland, intrusted by virtue of Her Majesty the Queen's sign manual with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, in exercise of the powers and authorities in this behalf vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, order as follows:—

I.

Ss. 68 and 69.
When evidence
insufficient,
medical visitor
to report.

If it shall appear to the registrar that the evidence in support of a petition under the 68th and 69th sections of the Act is inconclusive or otherwise unsatisfactory, it shall be lawful for him to obtain the report of one of the medical visitors for submission to the Lord Chancellor, along with the petition and evidence.

* 34 & 35 Vict. c. 22.

II.

Where the alleged lunatic shall, by notice under the 24th General Order (27th June, 1879),* object to an Order being made in the matter of the alleged lunacy, or where the prayer of the petition shall be opposed by any person having had notice of the same, it shall be the duty of the registrar in lunacy, in case he shall not have already obtained a report of the medical visitor, to direct one of the medical visitors to visit the alleged lunatic, and to report as under the 11th section of the Act; and the registrar shall, upon receipt of the medical visitor's report, submit the same to the Lord Chancellor, along with the petition and evidence.

Ss. 68 & 69.
Opposed petitions to be set down for hearing with report of medical visitor.

III.

The registrar shall have all the powers with regard to the administration of oaths which belonged to the master under the 24th section of the Lunacy Regulation (Ireland) Act, 1871,† and all the powers respecting the issue of advertisements which belonged to the master under the 29th section of the said Act.

Registrar may administer oath and issue advertisements.

IV.

Where the accounts of the receivers or committees are taken by the registrar under the 47th General Order (27th June, 1879),* or are attached to him by special Order of the Lord Chancellor, the registrar shall have and enjoy the powers that belonged to the master under the 32nd section of the Lunacy Regulation (Ireland) Act, 1871.†

Lunacy Regulation Act (Ireland), 1871.
Section 32.
Powers of master to vest in registrar.

V.

The provisions of the 35th, 36th, 37th, and 39th sections of the Lunacy Regulation (Ireland) Act, 1871,† with reference to proceedings before the master, shall be deemed to apply to proceedings before the registrar in *pari materia*.

Ss. 36, 37, and 39 to apply to proceedings before registrar.

VI.

The registrar is to be at liberty from time to time to direct or make such inquiries as to him shall seem expedient respecting any dealings with the lunatic's estate, and the application of the same or any part thereof, prior to the date of the finding of the lunatic to be a lunatic; and respecting the state and condition of the lunatic when any such dealings took place; whether any request or proposal in that behalf shall or shall not have been made to or laid before him, and to report to the Lord Chancellor thereon, and on the circumstances connected therewith, and the steps (if any) proper to be taken, and by and against whom in relation thereto.

Inquiries as to past dealings with estate.

* Printed at p. 7 above.

† 34 & 35 Vict. c. 22.

VII.

Debts.

The registrar is to be at liberty, when it shall seem to him expedient, to inquire what debts (if any) not open to dispute or question, are due from the lunatic, and to whom, and whether the same, or any, and what part or parts thereof, ought to be paid, and out of what funds or property, and to entertain proposals for the adjustment and settlement thereof, and for the compromise and settlement of any disputed debt, claim, or demand, upon or against the lunatic or his estate, and to report on such matters respectively.

VIII.

Inquiries as to estate.

The registrar is to be at liberty from time to time to receive any proposal and conduct any inquiry touching any other matters affecting the property of the lunatic, whether real or personal, and to report thereon.

IX.

Appointment of new committee.

On the death or discharge of a committee or one of several committees of the person or property of a lunatic (where the custody does not survive), the registrar shall, without any special order, inquire and report whether or not it be expedient that a committee of the person or of the estate of the lunatic shall be appointed, and if so, who is the most fit person to be appointed.

X.

Leases.

The registrar shall report upon the proposals or agreements of intended lessees, and where a report certifying and approving such an agreement by an intending lessee to take a lease of certain hereditaments upon the terms and conditions therein specified or referred to is confirmed, and it is ordered that the agreement be adopted and carried into effect, the registrar (if he shall not have already done so) is to settle and approve a proper lease to be granted to the intended lessee of the same hereditaments, at the rent, for the period, and under and subject to the covenants and conditions agreed on and approved of by the registrar; and the committee of the estate is, in the name and on behalf of the lunatic, to execute the lease when so settled and approved, upon the registrar's signing his allowance thereof, and upon the intended lessee executing a counterpart thereof, and the registrar is to certify accordingly.

XI.

Mortgage.

Where it is ordered that the committee of the estate be at liberty to raise by mortgage of any part of the lunatic's estate a sum of money for any purpose, the registrar is to settle and approve a proper mortgage, and the committee upon payment to him, or as may be directed, of the amount to be raised, is, in the name and on the behalf of the lunatic, to execute the mortgage when so settled and approved, and to do all such other acts as shall be necessary to effectuate the same.

XII.

Where a report approving the sale of the lunatic's real or leasehold estate is confirmed, and the sale is not directed to be had in the Land Court, the purchaser is, at or within such time as the registrar shall fix, to pay the purchase money for the hereditaments sold into the Bank of Ireland, in the name and with the privity of the Accountant-General of the Supreme Court of Judicature in Ireland, to the credit of the matter, and to such particular account (if any) as the registrar may appoint; and upon the same being paid to the purchaser is to be let into possession of the hereditaments sold and the receipt of the rents and profits thereof, as from such day as the registrar may appoint. And the committee of the estate is forthwith in the name and on the behalf of the lunatic to execute all proper conveyances, assignments, and assurances of the hereditaments sold unto the purchaser and his heirs or his executors, administrators, and assigns, or as he or they shall direct, to be settled by the registrar; and due notice of attending before the registrar is to be given to all parties interested.

Sale.

XIII.

The registrar may, if he think proper, and at the expense of the estate, cause advertisements to be published for proposals by persons willing to undertake the office of receiver, and may in such advertisement define the local limits within which the persons must be resident in order to their being eligible.

Proposals for office of receiver.

XIV.

Applicants for the appointment of receiver, and parties nominating persons to the Lord Chancellor for receiverships, shall lodge with the registrar in lunacy qualification papers, setting forth the same particulars that are contained in the qualification papers hitherto furnished to the receiver master on behalf of applicants, and it shall be the duty of the registrar to submit the same to the Lord Chancellor for his directions thereon.

Qualification papers.

XV.

All applications by any person in a lunacy matter for liberty to change solicitors must be accompanied by an affidavit of the person so wishing to change his solicitor as aforesaid, showing the reason for such change.

Change of solicitors.

XVI.

The registrar shall not be required to take any affidavit during the actual hearing of proceedings before himself, whether upon reference from the Lord Chancellor or upon statements filed in the office or upon the passing of accounts.

Affidavits.

XVII.

Lodgment of
percentage
certificates;
transfers
thereunder.

The certificate of lunacy percentage, mentioned in the 51st General Order (27th June, 1879),* shall be lodged by the registrar with the Accountant-General on or before the 1st day of July in each year, and all transfers and lodgments under said certificate shall be completed by the Accountant-General not later than the 1st day of October in the same year.

Dated this 1st day of February, 1883.

H. Law, C.

GENERAL ORDER IN LUNACY, DATED JANUARY 25, 1886.

Lord Chancellor.

From and after the date of this Order the custody of a person of a lunatic shall not in any case be committed to the proprietor, keeper, or medical superintendent of the asylum in which the lunatic shall for the time being reside. Nor to any person residing with or in the employment of such proprietor, keeper, or medical superintendent, as committee of the person of such lunatic either solely or jointly with any other person.

Ashbourne, C.

GENERAL ORDER IN LUNACY, DATED JANUARY 30, 1886.

Lord Chancellor.

I, Edward, Baron Ashbourne, Lord High Chancellor of Ireland, intrusted under and by virtue of the Queen's sign manual with the care and commitment of the custody of lunatics, idiots, and persons of unsound mind, do in pursuance of all powers vested in me, hereby order that from and after the 1st day of February, 1886, all accounts directed to be taken in any matter in lunacy shall be lodged in the office of the registrar in lunacy, and vouched, and passed by the registrar in lunacy. Provided always that every such account which, prior to the date of this Order, shall have been lodged in the offices of the Land Judges, shall be vouched and passed in all manner as if this Order had not been made.

Dated this 30th day of January, 1886.

Ashbourne, C.

* Printed at p. 13 above.

GENERAL ORDER IN LUNACY, DATED JUNE 9, 1886.

Lord Chancellor.

I, the Right Honourable John Naish, Lord High Chancellor of Ireland, in pursuance and exercise of the powers vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, do hereby order and direct that in all cases in which after the date of this Order any person shall be appointed committee of, or receiver over, the estate of a lunatic, the solicitor for such committee or receiver shall, within one month from the date of the Order appointing such committee or receiver, produce to the registrar in lunacy a certificate of the due enrolment of the bond, or recognizance, or other evidence (to the satisfaction of the said registrar) of the completion of the security which such committee or receiver shall have been required to enter into, and in default of such production it shall be the duty of the said registrar to inquire and report whether a new committee or receiver should be appointed in place of the committee or receiver so in default.

John Naish, C.

GENERAL ORDER IN LUNACY, DATED NOVEMBER 29, 1886.

Lord Chancellor.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in exercise and pursuance of the power and authority vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and all other powers and authorities enabling me in this behalf, do hereby order and direct as follows:—

1. Save as otherwise provided by this Order, all existing fees and stamp duties now payable in relation to proceedings in lunacy shall be and the same are hereby abolished.

2. The following fees are fixed and imposed in relation to proceedings in lunacy:—

- (a.) The fees set forth in the first schedule hereto.
- (b.) The fees fixed by 70th General Order in Lunacy of 27th day of June, 1879.†
- (c.) The fees set forth in the column headed "lower scale" in the first schedule hereto are to be taken and paid in all cases in which the originating Order in the matter is made under the 68th section of the Lunacy Regulation (Ireland) Act, 1871,* and the fees set forth in the column headed "higher scale" in the said schedule are to be taken and paid in all other cases.

* 34 & 35 Vict. c. 22.

† Printed at p. 17 above.

4. The fees set forth in the first schedule hereto shall be taken by means of impressed stamps, and, until further order, the dies used for impressing such stamps shall be those now appropriated to the Supreme Court of Judicature in Ireland, having in addition the words "Lunacy fee" impressed with a band stamp over the head of the ordinary die. Provided always that the stamps hitherto in use to denote fees taken upon proceedings in lunacy shall remain valid and available to denote fees taken under this Order, so long as they are supplied by the Commissioners of Inland Revenue.

5. The Commissioners of Inland Revenue shall cause a separate account, under the title of "Lunacy Fee Fund," to be kept of the fees taken under and by virtue of this Order.

6. The fees set forth in the second schedule hereto shall be taken, accounted for, and applied in like manner in all respects as the fees fixed by the 70th General Order in Lunacy of the 27th day of June, 1879.*

7. This Order shall come into operation on the 1st day of January, 1887.

8. Nothing in this Order contained shall be deemed to apply to or in anywise to affect the percentages payable under the 109th and subsequent sections of the Lunacy Regulation (Ireland) Act, 1871,† or any fees taken and payable in relation to proceedings in lunacy other than fees taken in the office of the registrar in lunacy, or by means of impressed stamps.

Ashbourne, C.

First Schedule.

	Lower Scale.	Higher Scale.
	s. d.	s. d.
Upon every originating petition, and upon every petition to dismiss a matter out of lunacy, or for a supersedeas	17 6	17 6
Upon every other petition	7 6	10 0
Upon every report	7 6	10 0
Upon every recognizance	10 0	10 0
Upon every lease and deed	3 0	5 0
Upon every affidavit	2 6	2 6
Upon taxing a bill of costs and certifying the amount thereof, where the amount allowed does not exceed 20l.	1 6	1 6
Where the amount allowed exceeds 20l., for every 5l. allowed, or a fraction thereof	0 6	0 6
Upon every summons	2 0	2 0
For taking and certifying the result of an account, where the amount found to have been received without deducting any payment shall not exceed 200l.	1 0	1 0
Where such amount shall exceed 200l., for every 100l., or fraction of 100l.	0 6	0 6
But not to exceed 2l.		
Upon every certificate not the result of taking an account	3 0	5 0

* Printed at p. 17 above.

† 34 & 35 Vict. c. 22.

Second Schedule.

	s.	d.
For every ruling of the registrar in lunacy, where the number of folios shall not exceed 3	1	0
For every additional folio	0	4

GENERAL ORDER IN LUNACY, DATED DECEMBER 20, 1886.

Lord Chancellor.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in exercise and pursuance of the powers vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, do hereby order and direct as follows:—

1. From and after the 1st day of January, 1887, every application by a receiver or committee in any lunacy matter having reference only to the expenditure out of income from time to time accounted for in the matter of any sum or sums not exceeding in the whole the sum of 50*l.*, for the purpose of repairs or other expenses connected with the ordinary management of the estate, or for clothing, or other incidental expenses connected with the personal management of the lunatic, or for the payment of costs incurred under the General Order of the 10th day of November, 1881,† or of ascertained costs incurred in pursuance of any order made or directions given in the matter and not ordered to be paid, and (although the amount or amounts involved may exceed the said sum of 50*l.*) every application by a receiver or committee for directions as to details in the management of the estate, or for liberty to take proceedings against tenants, shall be made in the manner prescribed by this Order, and not otherwise.

2. Any such application as aforesaid, which shall have reference to the expenditure as aforesaid of any sum or sums exceeding 50*l.* but not exceeding in the whole 100*l.*, may, if there be no question of law involved, be made in the manner prescribed by this Order; and where any such application as in this clause mentioned shall be made otherwise than in the manner prescribed by this Order, the costs awarded to the applicant may be limited to such costs as would have been incurred in an application made under this Order.

3. The party applying under this Order shall file in the office of the registrar an affidavit of the facts upon which such application is grounded, having prefixed thereto a notice or docket of application in the form contained in the schedule hereto, and such application shall, in the first instance, be

* 34 & 35 Vict. c. 22.

† Printed at p. 32 above.

made ex parte to the registrar and the ruling of the registrar made upon such application, if and when countersigned by the Lord Chancellor, shall, for the purposes above specified, have the operation of an Order made by the Lord Chancellor, and shall be so filed.

4. An affidavit filed under the provisions of this Order shall not state any document or order further than may be necessary for the proof or identification of such document or order, and the taxing master shall have regard to this provision when taxing the costs of any such application.

Ashbourne, C.

Schedule.

In Lunacy.

In the matter of *A.B.*, a lunatic.

General Order, 20th December, 1886.

Application on behalf of the [receiver, or committee of the estate, or committee of the person] for

Dated the day of 18 .

C.D., solicitor for the said

GENERAL ORDER IN LUNACY, DATED MAY 5, 1887.

Lord Chancellor.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in exercise and pursuance of the powers vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, do hereby order and direct that:—

From and after the date of this Order, whenever it shall appear to the registrar in lunacy that the sureties or any of them of any receiver or committee of the estate appointed by an Order in any lunacy matter (which Order shall contain a reference to the said registrar to approve of sureties) should be changed, and new security substituted, the said registrar shall be at liberty to approve of new sureties for such receiver or committee of the estate, and to settle a new recognizance or bond and the recognizance or bond so settled shall be enrolled and registered by the proper officers as if a new order of reference in that behalf had been made by the Lord Chancellor, and the said registrar shall thereupon be at liberty, by ruling, to direct that the previous security entered into by such receiver or committee shall be vacated, and a vacate entered on the enrolment thereof, and the same shall be vacated accordingly.

Dated this 5th day of May, 1887.

Ashbourne, C.

* 34 & 35 Vict. c. 22.

GENERAL ORDER IN LUNACY, DATED OCTOBER 31, 1888.

Lord Chancellor.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in pursuance and exercise of the powers and authorities vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers and authorities enabling me in this behalf, do order and direct as follows :—

1. Where the security for any receiver or committee appointed in any lunacy matter is proposed to be given by recognizance it shall not be necessary, unless the Lord Chancellor so direct, that the same shall be registered, and the certificate of the completion of such security may be given without such registration.

2, 3. * * * [*These Rules and the schedule were superseded by a General Order dated June 30, 1894 (printed at length in Statutory Rules and Orders 1896, p. 721), which Order was superseded by the Order of August 2, 1901, printed below.*]

S. Walker, C.

GENERAL ORDER IN LUNACY, DATED JANUARY 14, 1890.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in exercise and pursuance of the powers and authorities contained in the Lunacy Regulation (Ireland) Act 1871,* and in the Act hereinafter mentioned, and of all other powers and authorities enabling me in this behalf, do for the purpose of giving effect to the provisions contained in the Act of Parliament of the 3rd and 4th Victoria, chapter 105, hereby approve of the forms of writs following, marked A. and B., and do order and direct that the same, or writs as nearly in the same form as the circumstances of the case may require, be issued from the office of the Clerk of the Crown and Hanaper, upon the filing of the præcipe and production of the Order for payment as herein-after provided, and that such writs when returned by the sheriff or other officer whose duty it shall be to execute the same, shall be delivered by such sheriff or other officer to the Clerk of the Crown and Hanaper, or be left at his office, and shall thereupon be filed as of record in his said office.

No such writ of execution shall be issued without production to the Clerk of the Crown and Hanaper of the Order for the payment of money or costs upon which the writ of execution is to issue.

No such writ shall be issued without the party issuing it or his solicitor filing a præcipe for that purpose in the office of the Clerk of the Crown and Hanaper. The præcipe shall contain

* 34 & 35 Vict. c. 22.

the title of the matter, the date of the Order, the names of the parties against whom or of the firms against whose goods the execution is to be issued; and shall be signed by or on behalf of the solicitor of the party issuing it, or by the party issuing it if he do so in person. The form following, marked C., may be used with such variations as circumstances may require.

Every such writ shall bear date of the day on which it is issued, and shall be indorsed with the name and place of abode, or office of business of the solicitor actually suing out the same, and in case no solicitor shall be employed to issue the writ, then it shall be indorsed with a memorandum expressing that the same has been sued out by the party in person, mentioning the city, town, and parish, and also the name of the village, street, and number of the house of such party's residence, if any such there be.

Every such writ shall bear the name of the Clerk of the Crown and Hanaper.

FORMS.

FORM A.

A.

This form is to be adapted according to circumstances to the several cases of:—

- (1) Money alone;
- (2) Money and interest;
- (3) Money and costs.

* 4 per cent. unless otherwise ordered.

† Date of Order.

FORM OF FIERI FACIAS FOR MONEY, INTEREST, AND COSTS—ON AN ORDER OF THE LORD CHANCELLOR IN LUNACY.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the sheriff of greeting, We command you that of the goods and chattels of C.D., in your bailiwick you cause to be made the sum of £ and also interest thereon at the rate of £* per cent. per annum from the day of 18†, which said sum of money and interest were lately before Us in the Court of Our Lord High Chancellor of Ireland, entrusted under Our Sign Manual, with the care and commitment of the custody of persons found idiot, lunatic, or of unsound mind, in a certain matter therein depending, intituled "In the matter of A.B., a lunatic," by an Order of Our said Lord Chancellor, bearing date the day of ordered to be paid by the said C.D. to E.F., together with certain costs in the said Order mentioned, and which costs have been taxed and allowed by one of the taxing masters of Our High Court of Justice in Ireland, at the sum of £ as appears by the certificate, of Our said taxing master, dated the day of and that of the goods and chattels of the said C.D., in your bailiwick you further cause to be made the sum of £* together with interest thereon at the rate of 4l. per centum per annum, from the day of 18‡ together with the sum of fourteen shillings for the costs of this writ.

‡ Costs.

‡ Date of master's certificate.

And that you have that money and interest before Us in the Court of Our said Lord Chancellor immediately after the execution hereof to be paid to the said E.F., in pursuance of the said Order. And in what manner you shall have executed this Our writ make appear to Us in the Court of Our said Lord Chancellor immediately after the execution thereof. And have there then this writ.

Witness, the Right Honourable EDWARD, BARON ASHBOURNE, Lord High Chancellor of Ireland, this day of 18 .

B.

FORM B.

FORM OF FIERI FACIAS FOR COSTS ALONE.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the sheriff of greeting, We command you that of the goods and chattels of C.D., in your bailiwick, you cause to be made the sum of £ for certain costs which were lately before Us in the Court of Our Lord High Chancellor of Ireland, entrusted under Our Sign Manual with the care and commitment of the custody of persons found idiot, lunatic, or of unsound mind, in a certain matter therein depending, intituled "In the matter of A.B., a lunatic," by an Order of Our said Lord Chancellor, bearing date the day of 18 , ordered to be paid by the said C.D., to E.F. [which costs have been taxed and allowed by one of the taxing masters of Our High Court of Justice in Ireland, at the sum of £ as appears by the certificate of the said taxing master, dated the day of 18], and that of the goods and chattels of the said C.D., in your bailiwick, you further cause to be made interest at the rate of four per centum per annum, from the day of 18* , together with fourteen shillings as and for the costs of this writ. And that you have that money and interest before Us in the Court of Our said Lord Chancellor, immediately after the execution hereof to be paid to the said E.F. in pursuance of the said Order. And in what manner you shall have executed this Our writ make appear to Us in Our said Court, immediately after the execution thereof. And have then there this writ.

* Date of taxing master's certificate or of Order as the case may be.

Witness, the Right Honourable EDWARD, BARON
ASHBOURNE, Lord High Chancellor of Ireland,
this day of 18 .

ENDORSEMENT (for either Form).

Levy £ and interest thereon at the rate of 4l. per centum per annum, from the day of together with the sheriff's poundage fees, and expenses of execution.

C.

FORM C.

FORM OF PRÆCIPE.

Lord Chancellor.

In Lunacy.

In the matter of

a lunatic.

Seal a writ of *feri facias* directed to the sheriff of to levy against C.D. the sum of and interest thereon at the rate of £ per centum per annum, from and £ costs.

Order dated day of

(Taxing master's certificate, dated).

X.Y.,

Solicitor for

(Party on whose behalf writ is issued).

Ashbourne, C.

GENERAL ORDER IN LUNACY, DATED JUNE 8, 1892.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, intrusted by virtue of Her Majesty the Queen's Sign Manual with the custody and commitment of the persons of idiots and lunatics, and of their estates, in exercise and pursuance of all powers enabling me in this behalf, do hereby Order and direct, that in addition to the medical visitors there shall be two lady visitors appointed by the Lord Chancellor for the city and county of Dublin, and that such lady visitors shall visit insane patients as they may from time to time be directed by any regulations to be made by the Lord Chancellor under this General Order, and that the expenses and remuneration of such visitors shall be provided for as by such regulations may from time to time be directed.

The 8th day of June, 1892.

Ashbourne, C.

GENERAL ORDER IN LUNACY. DATED JULY 2, 1898.

I, the Right Honourable Edward, Baron Ashbourne, Lord High Chancellor of Ireland, in exercise and pursuance of the powers in this behalf vested in me by the Lunacy Regulation (Ireland) Act, 1871,* and of all other powers me thereto enabling, do hereby order and direct that every notice or return given or made to the registrar in lunacy by the guardian *ad litem* of a person alleged to be of unsound mind appointed by the land judge pursuant to any rule made under the Land Law (Ireland) Act, 1896,† shall set forth the name, residence, and description of such guardian, the name, last residence, present abode, and description of the person alleged to be of unsound mind, the name, residence, and description of the person in whose custody or care the person alleged to be of unsound mind is, and the age and full particulars of the property of last-mentioned person. Such return shall have annexed thereto a copy of the order made by the land judge, and a docket of the application (if any) intended to be made to the Lord Chancellor in lunacy. And if it shall appear that such application can be made under the provisions of the 68th section of the Lunacy Regulation (Ireland) Act, 1871, the procedure shall, notwithstanding any general Orders heretofore made under the said last-mentioned Act, be as follows :

- (1.) The said registrar shall, immediately on receipt of such notice or return, and on being satisfied that the application is within the provisions of the section aforesaid, direct one of the medical visitors to visit

* 34 & 35 Vict. c. 22.

† 59 & 60 Vict. c. 47.

the person alleged to be of unsound mind, and to make such report as is directed by the 11th section of the said Act, and such medical visitor shall inform the person alleged to be of unsound mind of the nature of the application, and that if he objects to the suggested order he is, within four days, to give notice in writing to the registrar in lunacy. And the medical visitor shall in his report specially certify that he has so informed the person alleged to be of unsound mind, and shall further state whether such person was, in his opinion, capable of understanding or exercising such right of objection.

- (2.) On the expiration of the period of four days from the date of the visit of the medical visitor the said registrar shall submit to the Lord Chancellor the report of the visitor, together with the order made by the land judge, and any evidence lodged in support of the application, and the notice of objection (if any) received from the person alleged to be of unsound mind, and the Lord Chancellor may, on consideration of the same, either make an order thereon without any attendance of counsel, solicitor, or parties, or may direct the application to be set down for hearing, or may refer it to the registrar in lunacy to make particular inquiry respecting any matter to which the application relates.

Every notice or return given or made by such guardian *ad litem* as aforesaid shall be deemed to be a return made under the provisions of the 68th section of the Lunacy Regulation (Ireland) Act, 1871.

Ashbourne, C.

GENERAL ORDER IN LUNACY. DATED APRIL 2, 1901.

Rule 1.—Receivers and committees acting as receivers shall forthwith lodge in bank all moneys received by them on account of the estates over which they are acting as receiver or committee, to the credit of a separate account, to be kept in the bank for such estate (unless by special permission of the Lord Chancellor), and the bank pass-book thereto relating shall be lodged in the office of the registrar in lunacy with each annual account lodged by such receiver or committee.

Rule 2.—The affidavit verifying the account of a receiver or committee shall state the dates upon which rent collections were held during the period covered by the account.

Receivers or committees failing to comply with the foregoing rules shall be liable to be removed.

2. Pauper Lunatics.**Asylums.**

**ORDER OF THE LOCAL GOVERNMENT BOARD FOR IRELAND,
DATED MARCH 16, 1899, APPOINTING THAT THE PROVI-
SIONS OF SECTION 9 OF THE LOCAL GOVERNMENT (IRELAND)
ACT, 1898,* SHALL NOT COME INTO OPERATION UNTIL MAY
16, 1899.**

1899. No. 233.

In exercise of the power given to us by the Local Govern-
ment (Ireland) Act, 1898, Section 124, we, the Local Govern-
ment Board for Ireland, hereby order and appoint that the
provisions of Section 9 of the said Act, shall not come into
operation until the 16th May, 1899.

Given under our hands and seal of office, this sixteenth day
of March, in the year of our Lord One thousand eight
hundred and ninety-nine.

(L.S.)

G. W. Balfour.
H. A. Robinson.

**ORDER OF THE LOCAL GOVERNMENT BOARD FOR IRELAND,
DATED DECEMBER 1, 1899, PRESCRIBING REGULATIONS AS
TO BORROWING BY JOINT COMMITTEES OF MANAGEMENT
OF LUNATIC ASYLUMS.**

1899. No. 877.

Whereas it is provided by Article 22 (11) of the Schedule
to the Local Government (Application of Enactments) Order,
1898,† that a joint committee of the councils of counties com-
prised in a lunatic asylum district may, in accordance with
regulations of the Local Government Board for Ireland, exer-
cise jointly, for the purpose of a lunatic asylum, the powers of
those councils relating to borrowing:

Now, therefore, we, the Local Government Board for
Ireland, do hereby order and prescribe as follows:—

1. A proposal to apply for sanction to a loan for any pur-
pose for which the joint committee may borrow shall
not be taken into consideration by the committee
without at least a month's previous notice entered on
the minutes, and a copy of such notice shall be sent to
each member of the committee at his usual place of
abode at least three clear days before the meeting at
which the proposal shall be considered.

* 61 & 62 Vict. c. 37.

† Printed under the title, "Local Government, Ireland."

2. The resolution shall specify the mode in which the loan is to be raised, and the proportion chargeable to each of the counties or county boroughs forming the lunatic asylum district.
3. Application for sanction to a loan shall be made on a form which may be obtained at the office of the Local Government Board for Ireland, and shall be signed by the chairman presiding at the meeting at which the resolution was adopted, and countersigned by the clerk or secretary to the committee.
4. The joint committee shall furnish to the Local Government Board for Ireland proof of compliance with the provisions of Sub-section (4) of Section 9 of the Local Government (Ireland) Act, 1898, respecting the approval of plans, where the purpose for which the loan is required is within the purview of that sub-section.
5. Where one joint committee borrow by way of mortgage, the deed of mortgage shall be executed by the members of the committee, or any five of their number acting by the direction and on behalf of the committee.

Given under our hands and seal of office this first day of December, in the year of our Lord One thousand eight hundred and ninety-nine.

(L.S.)

G. W. Balfour.
H. A. Robinson.
R. Bagwell.

THE ASYLUM ACCOUNTS ORDER, 1899, DATED
DECEMBER 29, 1899.

1899. No. 999.

General Order made under the provisions of the Local Government (Ireland) Act, 1898,* prescribing and regulating :

- (1.) Several matters relating to certain of the business by the said Act transferred to County and County Borough Councils and to their Committees and Officers; and
 - (2.) The communication between County and County Borough Councils and Committees of Lunatic Asylums with respect to their Estimates.
- To the Councils of the several Counties and County Boroughs constituted under the Local Government (Ireland) Act, 1898;
- To the Committees and Joint Committees appointed by the said Councils for the Maintenance and Management of the several Lunatic Asylums in Ireland;
- To the Officers of the said Asylums; and to all others whom it may concern.

* 61 & 62 Vict. c. 37.

In pursuance of the powers vested in us by the Local Government (Ireland) Act, 1898 (hereinafter referred to as "the Act,"), and by any other Acts, and by any Orders made by the Lord Lieutenant in Council, enabling us in that behalf, we, the Local Government Board for Ireland, do hereby, from the 1st day of April, 1900, rescind all Orders, and all such parts of any Orders now in force as relate to the several matters hereinafter dealt with which may be inconsistent herewith.

And we hereby order and direct as follows:—

Article 1.—This Order shall be known and cited as "The Asylum Accounts Order, 1899."

Article 2.—In this Order, unless the context otherwise requires—

The expression "asylum" means and includes a "district asylum" within the meaning of the Lunatic Asylum Acts, and also an auxiliary lunatic asylum within the meaning of the Local Government (Ireland) Act, 1898.

The expression "district" means and includes the district served by an asylum, whether comprising one or more counties.

The expression "committee" means and includes any committee or joint committee appointed to manage an asylum.

The expression "superintendent" means and includes the resident medical superintendent, or in his absence the assistant medical officer, or other person duly appointed to act for or in place of the resident medical superintendent.

The expressions "clerk," "storekeeper," refer to the same officer in those cases in which the two offices are held by the same person.

The expression "capitation grant" means and includes the sums payable to the county council under Section 58 (2) (c) of the Local Government (Ireland) Act, 1898.

The expression "county" means and includes a county borough.

The expression "council" means and includes a county council and a county borough council.

The expression "inspectors" means and includes the inspectors of lunatics in Ireland appointed under 8 and 9 Vict. c. 107, sec. 23.

Article 3.—The several regulations in this Order contained shall, from and after the 1st day of April, 1900, be observed in regard to the several matters hereinafter dealt with, except in so far as the Local Government Board may from time to time assent in any particular case to a departure from any such regulation.

ACCOUNTS.

Article 4.—The several books of account and other records herein prescribed shall be kept by the respective officers of the committees according to the forms and directions given in this Order and in the schedule hereunto annexed; together with such books of account or records as may be from time to time required by the Lord Lieutenant, the Local Government Board, the inspectors of lunatic asylums* or the committee of the asylum, to be kept by any such officer.

Article 5.—The clerk shall punctually enter up and accurately keep the following books of account, namely :—

(1.) The Minute Book, in which shall be entered in such form as may be required by the inspectors, the statistical information laid before the committee relating to the inmates of the asylum, and the state of the finances of the asylum; minutes of all proceedings of the committee conducted in accordance with the rules in force regulating such proceedings. The financial transactions shall be entered together in the first part of the minutes of each meeting.

(2.) The Financial Statement Book of Receipts (Form 1) and the Financial Statement Book of Expenditure (Form 2) in which shall be entered and classified in the proper columns the several items of money lodged with the treasury during each month, and particulars of the orders for payment made on the treasurer by the committee at each monthly finance meeting to be held in accordance with Article 9 (1) of this Order. The receipts reported to, and the payments ordered at the monthly finance meeting held in the months of October and April, in any year, which under Article 9 (1) and (8) of this Order are required to relate exclusively to the half-year ending on the last day of September or the last day of March, as the case may be, immediately preceding such monthly finance meetings, shall be included in the accounts of the said half-years, respectively.

(3.) Where the district comprises more than one county the clerk shall keep an account with the council of each such county, showing the transactions of the committee with the council.

(4.) With reference to every loan on behalf of the asylum, whether obtained before or after the first day of April, 1900, there shall be kept separate accounts under the following heads :—

1. Lenders Loan Account.
2. Individual Loans Account.

the transactions in which are to be shown in the abstract of accounts.

* Under this provision the Inspectors of Lunatic Asylums made March 19, 1900, "The Asylums Books and Records Order, 1900," which is published *Dublin Gazette*, April 3, 1900, pp. 480-509.

(5.) The Order Check Book (Form 3). This book shall contain forms upon which all orders for provisions, stores, repairs, and for other articles to be supplied or work to be done, shall be given, and counterfoils upon which shall be entered particulars of each such order, together with forms of the invoices to accompany commodities supplied, or to be delivered when work is done; every such order, when signed by the superintendent, together with the form of invoice, shall be detached from the said book, and issued to the tradesman or other person dealt with or employed, to be respectively retained or returned as directed in the note printed thereon; and the counterfoil on which the particulars of the order, certified by the superintendent's initials, are entered shall be retained in the said book. The consecutive numbers of such orders shall be printed.

Article 6.—The following books and records shall be kept by the clerk, under the direction of the superintendent, in such form and in such manner as may, with the concurrence of the Local Government Board, be directed by the inspectors:—

- (a.) The General Register of Patients (a separate Register to be kept in respect of each county).
- (b.) The Register of Admissions.
- (c.) The Register of Discharges and Deaths.
- (d.) The Morning Statement Book.
- (e.) The Capitation Grant Return.
- (f.) The Paying Patients' Ledger.
- (g.) The Farm Account Book.
- (h.) Such other books and records as may from time to time be deemed necessary by the inspectors.

Article 7.—The storekeeper shall punctually enter up and accurately keep the following books of account in such form as may from time to time be directed by the inspectors with the concurrence of the Local Government Board, namely:—

- (1.) The Daily Diet Distribution Book.
- (2.) The Provision Check Book.
- (3.) The Medical Diet Check Book.
- (4.) The Clothing Materials Receipt and Issue Book.
- (5.) The Clothing Receipt and Issue Book.
- (6.) The Inventory Book.
- (7.) The Fuel and Light Book.
- (8.) The Washing Materials Book.

Article 8.—It shall be the duty of the superintendent as accounting officer from time to time to examine such of the foregoing books of account as are to be kept by the clerk or storekeeper, so as to ensure that they are punctually and properly written up. He shall see that stock of all the property in or belonging to the asylum, including provisions, clothing, furniture, farm produce, and goods of every description, is taken accurately at the end of each half-year, and

shall submit the report thereon in detail to the committee at their next meeting at which finance business is transacted. He shall take care that all casual receipts are promptly lodged with the treasurer to credit of the committee, and before the expiration of the month during which they have been received. He shall keep a careful and accurate account of all moneys expended out of the subsidiary account, and shall avoid making payments out of that account exceeding 2*l.* in amount, except in special circumstances of an urgent nature.

Article 9.—(1.) Except as hereinafter provided, no payments shall be made unless by an order of the committee made at a monthly finance meeting. The monthly finance meeting shall be held upon such day of the week or month as the committee may determine, provided such day be not the 7th day of the month or any earlier day. The payments made at each finance meeting shall be in respect of goods supplied, work done, or liabilities incurred not later than the close of the preceding month. The receipts reported by the treasurer to the committee and the payments ordered by them at each finance meeting, shall be kept distinct, and shall be entered and totalled on separate statements. At the meeting next following each finance meeting, the statements, having been first certified at foot by the superintendent, shall be submitted for confirmation by the committee, and, when examined and confirmed, shall be signed at foot by the chairman of the meeting.

(2.) Except so far as is provided by the Local Government (Procedure of Councils) Order, 1899,* no bill or demand against the committee shall be payable at any finance meeting unless it shall have been in the hands of the superintendent two clear days at the least before the day of such meeting. All payments out of the asylum fund shall be made by means of an order, which may include several payments (Form 4), which order shall be signed by the chairman and two members present at the finance meeting of the committee, and countersigned by the superintendent.

(3.) After each finance meeting of the committee, the clerk shall forthwith transmit by post to every person in whose favour a payment is so ordered at the said meeting a negotiable paying order or advice (Form 5), duly signed.

(4.) The treasurer of each asylum shall open and keep an account with the committee, to be called "the subsidiary account." At the first finance meeting of each committee to be held after the 1st day of April, 1900, the committee shall make a payment by way of advance out of the asylum fund of an amount estimated to be sufficient to meet the petty disbursements of the superintendent for one month by an

* Printed under the title "Local Government, Ireland."

order in his favour. The superintendent shall lodge the amount of the order so made to credit of the subsidiary account.

(5.) The treasurer shall make and debit to the subsidiary account all payments upon orders duly made and presented to him which may be made by the superintendent.

(6.) At each finance meeting held subsequent to the first meeting above referred to, the superintendent shall prepare a tabulated list of payments made out of the subsidiary account up to the close of the previous month, with vouchers; and the committee shall order that a sum, to be specified in the order, equal to, or greater, or less than the total of such payments, shall be paid out of the asylum fund, and be lodged to the credit of the subsidiary account.

(7.) The expenditure made in each month through the subsidiary account shall be tabulated and classified in a separate book of account on the lines of the Financial Statement Book (Form 2), in such manner as to admit of the totals under each head being included in such account.

(8.) Subject to the provisions hereinbefore contained, all bills and demands shall be brought in within six days at the furthest after the expiration of the half-year in which they were incurred, and shall be forthwith examined and, if found correct, shall be paid at the next finance meeting, and be included in the accounts of such half-year.

(9.) The superintendent shall, before each finance meeting, procure from the treasurer a book or statement showing the sums of money and paying orders which the treasurer shall have received and paid since his last statement, and shall lay the same before the said meeting; and the presiding chairman shall affix his signature to the said book or statement of the treasurer, when the accuracy thereof shall have been ascertained.

(10.) The clerk shall enter from the treasurer's book, in the proper column of the Financial Statement Book of Expenditure (Form 2), the date on which the amount of each paying order was paid by the treasurer, as appearing in the treasurer's book.

(11.) The committee, in the examination and passing of bills, shall refer to the counterfoils in the Order Check Book (Form 3) of the orders sanctioning the expenditure, and shall in all cases require the party to whom the order was issued to produce it.

AUDIT.

Closing Accounts and Half-yearly Abstracts.

Article 10.—The superintendent shall cause the accounts of the asylum to be made up and balanced at the end of every half-year ending on the 30th day of September, and the 31st

day of March, and shall prepare therefrom and from the other records of the asylum, an abstract thereof (Form 6) which abstract shall be forwarded to the auditor appointed for the asylum, within *one month* after the close of the half-year.

Article 11.—The auditor shall give to the superintendent ten clear days' notice (Form 7), of the day appointed for auditing the accounts of the committee, and the superintendent shall, after receiving such notice, give six clear days' notice of the time and place at which such audit shall be held, in the following manner:—

- (a.) By causing to be exhibited on the external gate or door of the asylum a notice (Form 8), and continuing the same so exhibited until the day appointed for such audit.
- (b.) By an advertisement in the same form in some one or more of the public newspapers circulating in the county.

The superintendent shall also give due notice to the treasurer of this appointment, and shall send to the several other officers of the committee, who are bound to account, a notice in the Form 9.

Article 12.—The superintendent shall, six clear days before the day appointed for auditing the accounts of the committee, deposit a copy of the said abstract together with the books of account from which it has been prepared in the board-room of the asylum; and shall permit the said abstract and books to be inspected, examined, and copied by or on behalf of any body or person interested, at any reasonable hour of the day (not being Sunday or a bank holiday), when the committee shall not be sitting, after they shall be so deposited and previous to the day appointed for the auditing thereof.

Article 13.—Before each audit the clerk shall carefully prepare and verify a sufficient number of fair copies of the abstract of accounts (Form 6), and shall submit the same to the auditor, who at the conclusion of the audit shall attest them, and shall deal with them as provided in Article 14 of this Order.

Article 14.—Within fourteen days after the completion of each audit the auditor shall make a report to the Local Government Board upon the accounts audited and examined by him, and shall transmit with such report the attested copies of the abstract of accounts (Form 6) submitted to him as hereinbefore provided. The Local Government Board shall retain one of such attested copies of the abstract, and shall forward to the committee and to the Council of each county comprised within the district, respectively, one such attested copy of the abstract, together with a copy of the auditor's report. Upon receipt of the auditor's report and abstract of accounts, the superintendent shall forthwith publish the report and abstract, in some one or more of the public news-

papers circulating in the district, and shall also within one month after each audit furnish to each member of the committee a copy of the auditor's report and abstract of accounts.

Article 15.—If the auditor shall be required by the Local Government Board to hold an extraordinary audit, either of the whole or of any portion of the accounts, in addition to the ordinary audit, all the provisions herein contained with reference to the ordinary audit shall, so far as they may be applicable, apply to such extraordinary audit.

Article 16.—The superintendent and the other officers of the committee who by law are liable to account shall attend at the time and place appointed for the audit of their accounts, and shall submit all books and accounts which they are respectively required to keep by this or by any other Order of the Local Government Board, or by the committee, together with all documents and vouchers relating to such books or accounts.

Article 17.—In auditing the accounts, the auditor shall see that they have been kept and are presented in proper form, that the particular items of receipt and expenditure are stated in sufficient detail, and that the payments are supported by adequate vouchers and authority. He shall ascertain whether all sums received, or which ought to have been received, are brought into account, and shall examine whether the expenditure is in all cases such as might lawfully be made. He shall also reduce such payments and charges as he shall deem to be exorbitant, shall surcharge moneys not duly accounted for, or lost by negligence, upon the person who ought to account for the same, or whose negligence or improper conduct has caused the loss, and shall disallow and strike out such payments as are not authorised by law. If the auditor finds that any money, goods, or chattels belonging to the asylum have been purloined, embezzled, wasted, or misapplied, or that any deficiency or loss has been incurred by the negligence or misconduct of any officer or other person accounting, and shall surcharge such officer or person with such amount or value in his account, he shall submit a statement of such surcharge to the committee as soon as he conveniently can do so. The sums so surcharged, disallowed, or struck out, shall be recoverable in the same manner as balances are recoverable under the provisions of the Irish Poor Relief Acts.

Article 18.—The auditor shall examine and collate the several books and forms of accounts; and shall ascertain that the several entries correspond with and balance each other, where such balance may be required; but in case of any error caused by inadvertence or accident in any account, he may make the necessary correction or require the officer rendering it to do so, and the auditor shall then deal with the account so corrected.

Article 19.—No erasures shall under any circumstances be made in any of the records or books of account prescribed by this Order; in case it should be found necessary to make an alteration in any entry it must be done by drawing the pen through the figure to be altered and by writing above or beside it the figure that is to take its place. The folios or pages, as the case may be, of all such records or books of account should be numbered consecutively by the printer, and no leaf or leaves of any bound book so numbered shall be removed from the book.

Article 20.—The auditor shall receive any objection made by or on behalf of any body or person interested or aggrieved, against the accounts undergoing audit, or any item or charge therein, or any vouchers or authority for the same; he may, if he thinks fit, require such objection to be put in writing, and shall examine into the merits thereof.

Article 21.—If the auditor shall doubt the correctness of any account, or any item or charge in any account, he may by summons under his hand and seal require any person to attend before him at any audit or adjournment thereof for the purpose of giving any information or evidence upon any matter connected with the accounts of any officer of the committee liable to account, and may make inquiry into any such matter, and may administer oaths, and may examine all such persons upon oath, and may require and enforce the production upon oath of books, contracts, agreements, accounts, maps, plans, surveys, valuations, and writings, or copies thereof, respectively, in any wise relating to such matter, or where the auditor shall think fit, in lieu of requiring such oaths as aforesaid, he may require any such person to make and subscribe a declaration of the truth of the matters respecting which he shall have been or shall be so examined.

Article 22.—The personal representatives of an officer accountable under this Order, who dies before the audit of his accounts, shall account, in conformity with the provisions herein contained, in the place of such deceased officer, and all regulations affecting the accounts of such officer shall, as far as may be otherwise lawful, affect the accounts of his personal representatives.

Article 23.—The auditor having audited the several accounts shall append his signature and date of audit at foot of the balance sheet.

ANNUAL BUDGET.

Article 24.—(1.) At such meeting as the Council shall determine, but not later than the first day of February in each financial year, the committee of every asylum shall prepare an estimate of their liabilities and expenditure to be provided for during the next ensuing financial year by the Council, and a demand for the amount of such estimate

(Form 10), and shall forward a copy of such estimate and demand to the inspectors, and to the Council of each county comprised within the district.

(2.) If any committee shall, at such meeting, neglect or refuse to prepare such estimate and demand, it shall be the duty of the superintendent to prepare and furnish the same within one week after the said meeting.

(3.) The communication by committees to County Councils, and the estimates to be made of their expenditure in each local financial year, and their demands in respect of the same shall be according to Form 10.

(4.) Every County Council upon whom a demand is made as aforesaid shall comply with the said demand at the times and in the manner specified therein.

(5.) The sum payable by a County Council to a committee shall be paid by means of an Order made at a quarterly meeting of the Council, directing their treasurer to transfer the said sum to the credit of the asylum fund in the bank which acts as treasurer to the asylum. After each such meeting, the secretary shall forthwith transmit by post to the treasurer of the asylum to whose credit money is so transferred, a notification in the prescribed form.

CAPITATION GRANT RETURNS.

Article 25.—The returns on which the claims for capitation grant are based shall be prepared from the records contained in the general register of patients, the register of admissions, and the register of discharges and deaths.

They shall be made out in accordance with the rules or regulations issued, or from time to time to be issued, by the inspectors, with the concurrence of the Local Government Board.

Schedule.

LIST OF FORMS IN THE SCHEDULE.

Form	Page
1. Financial Statement Book—Receipts	57
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3. The Order Check Book	60
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5. Paying Order	62
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7 to 9. Notices of Audit	67, 68
10. Estimate and Demand by Asylum Committee on County Council	68

FORM 2.—FINANCIAL STATEMENT

Month of _____

Date of Issue of Order.	In whose favour issued.	Particulars of Payment.	(a) No. of Paying Order.	(b) Date when paid by Treasurer.	(c) Orders outstanding at the close of the Half year.	CLASSIFICATION.											
						Total amount of Sum Paid.	Salaries and Wages.	Superannuations.	Provisions and Groceries.	Wine, Spirits, and Beer.	Tobacco and Snuff.	Medicine and Medical and Surgical Appliances.					
						£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d
	Brought forward—Gross Total Amount of Payments, as at foot of last Month's Statement																
	Total Amount of Payments per this Statement																
	Carried forward—Gross Total Amount of Payments, including above, from commencement of Half-year.																

NOTES.

(a.) In order to facilitate the checking of these payments and their totals with the corresponding particulars in the Treasurer's authority for making the payments, Form 4 should be ruled so as to be able to contain the same number of Paying Orders as is contained in one folio of this Statement. If the Payments ordered at any Finance Meeting exceed the number of lines in a folio of this Statement, or in the Treasurer's authority, additional folios of this Statement and additional copies of Form 4 should be used. In each Form 4 so used, the total shown must be the total of the Payments thereby authorised; but in this Statement the totals are to be carried forward so as finally to show the total amount of Payments for the month and the Gross Total, including same, to be carried forward.

(b.) In order to facilitate the checking of the list of Paying Orders outstanding and the reconciliation of the Treasurer's Account, at the close of each half-year, the entries in the column headed "Date when paid by Treasurer" should be made in red ink in case of all Orders issued in respect of expenditure belonging to the half-year, but not paid by Treasurer till after the close of the half-year. The total amounts of all such Orders appearing in the column headed "Total Amount of Sum paid" should be repeated and totalled in the column headed "Orders outstanding at the close of the Half-year." All Orders made at the Finance Meetings held in October and in April, will belong to this category, and will be shown as Orders outstanding at the close of the preceding Half-year.

(c.) For the Receipt and Expenditure out of Loans, a separate account should be opened with the Treasurer.

19

CERTIFICATE OF THE CLERK.

Chairman.

Members present
at the Meeting.

Dated this _____ day of _____ 19____.

_____ Clerk of the Asylum.

CERTIFICATE OF CONFIRMATION BY COMMITTEE.

(To be signed at the Meeting held next after the Finance Meeting at which the above payments were ordered to be made.)

I hereby certify that the foregoing was this day submitted to, examined, and confirmed by the Committee.

Dated this _____ day of _____ 19____.

Chairman of the Meeting.

FORM 3.
THE ORDER CHECK BOOK.

District Lunatic Asylum.

Date day of 19 . No.* Mr.† Particulars of Order. †	Date day of 19 . No.* Mr.† Please to supply :— †	Date day of 19 . No.* The Committee of the District Lunatic Asylum. Drs. To† <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">Date.</th> <th style="width: 70%;">Articles supplied or Work done.</th> <th style="width: 20%;">£. s. d.</th> </tr> <tr> <td style="height: 150px;"></td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">Total - £</td> <td></td> </tr> </table> No. § Examined and entered Storekeeper. 19 . Correct, Clerk.	Date.	Articles supplied or Work done.	£. s. d.				Total - £		
Date.	Articles supplied or Work done.	£. s. d.									
Total - £											

(Signature.)

 Resident Medical
 Superintendent.

(Signature.)

 Resident Medical
 Superintendent.

* This No. shall be consecutive for the half-year, and shall be in print.

† Insert in these spaces the name of the Tradesman, the goods to be supplied, and the place at which they are to be delivered, or the work is to be done, as the case may be.

NOTE.—This Order, with the invoice or account in blank, is to be detached from the block thereof, and sent to the Tradesman; the Order is to be kept by the Tradesman, and the Invoice or Account returned when the Order is completely executed, a ticket being sent containing the like entries with every delivery, when there is more than one.

TREASURER'S AUTHORITY FOR MAKING PAYMENTS.

The Bank, Branch, Treasurer of the Asylum, is hereby authorised to make the payments detailed on the opposite page, and to charge same to the Asylum Fund. Paying Orders numbering from to inclusive, have this day been issued to the payees, and the payments amount to the total sum of Pounds, Shillings, and Pence.

We hereby certify that we have carefully examined the annexed List of Payments, and checked the total; and find it correct, and we sign this authorisation on behalf of the majority of the Committee.

Dated this day of 19 .

Chairman of the Meeting.

Two Members of
the Committee present
at the Meeting.

I certify that the payments detailed on opposite page were duly authorised and ordered by the Committee at their meeting held on the above-mentioned date, and that, before signing this certificate, the several amounts have been entered in folio of the Financial Statement Book.

(Countersigned),

Resident Medical Superintendent.

Paying Order No.	To whom Payable.	Postal Address.	Amount.	When Paid.
			£	
			s.	
			d.	
TOTAL £				

FORM 5.
PAYING ORDER.

District Lunatic Asylum.

Boardroom,

Order No. _____ day of _____ 19 .

Financial Statement Book, folio _____

SIR,

The
Treasurer of the
to you the sum of
Shillings, and

Bank, _____ Branch, being the
Asylum, has been authorised to pay
Pounds,
Pence, being

Payment will be made on presentation of this notification with the
form of receipt hereunder duly signed by you

This document must be presented through a Bank.

I am, your obedient Servant,

Resident Medical Superintendent.

To

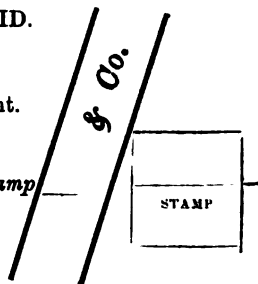
RECEIPT FOR AMOUNT PAID.

(Not to be detached.)

I acknowledge to have received the above amount.

Signature and Stamp _____

£ : : .



FORM 6.
STATEMENT OF ACCOUNT.

65

of the Asylum Fund for the Half-year ended the ____ day of _____ 19 ____
at the close of the Half-year.

Statement of Balances at the close of the Half-year.				(b) Particulars of Asylum Fund Expenditure.			
DR.		CR.		DR.		CR.	
	£	s.	d.		£	s.	d.
To Treasurer, due by him :—				By Treasurer, due to him :—			
Ordinary Account - -				Ordinary Account - -			
Loans Expenditure Account -				Loans Expenditure Account -			
" Superintendent, due to him -				" Loans Receipt and Expenditure—			
" Loans Receipt and Expenditure—				Unexpended Balance - -			
Expenditure in excess of Loans				" Asylum Fund Balances in favour - -			
" Asylum Fund, Balances against				County of.....			
County of.....				County of.....			
County of.....				County Borough of.....			
County Borough of.....							
TOTAL, £				TOTAL, £			

for the Half-year ended the _____ day of _____ 19____

[illegible]

THE SUPERINTENDENT.
of Accounts, and the Insurance Return endorsed hereon, are correct.

Resident Medical Superintendent.

OF AUDITOR.

Accounts of the above-named Asylum is correct.

Auditor.

FORM 7.

AUDITOR'S NOTICE OF APPOINTMENT.

District Asylum.

LOCAL GOVERNMENT BOARD,

Dublin day of 19 ,

SIR,

IN pursuance of the Asylum Accounts Order, 1899, I hereby give you notice that I shall attend in the Board Room of the above-named Asylum on day, the of at o'clock, for the purpose of Auditing the Accounts of the said Asylum ; and I hereby require you to attend at the time and place above-mentioned, then and there to produce all books and accounts relating to the said Asylum, duly made up and balanced to the close of the last half-year.

I have also to request that you will inform the Committee of this appointment at their next meeting, that you will duly publish a notice of this appointment in the manner prescribed in the said Order (Form 8), that you will forthwith give due Notice to the Treasurer of this appointment, and that you will also send to the several other Asylum Officers who are bound to account a Notice in the Form 9.

You will please acknowledge the receipt of this Notice.

I am,

SIR,

Your obedient Servant,

To

*The Resident Medical Superintendent
of the above-named Asylum.*

Auditor.

FORM 8.

NOTICE PUBLISHING THE TIME AND PLACE OF AUDIT.

District Asylum.

Half-year ending the day of 19 ,

NOTICE is hereby given, that in pursuance of the Asylum Accounts Order, 1899, a copy of the Half-Yearly Abstract of the Accounts of the above-named Asylum, together with the Ledger and other Books, are deposited at the Board Room of the Asylum, and will be open to be inspected, examined, and copied by or on behalf of any body or person interested therein, at any reasonable hour of any day (not being Sunday or a Bank Holiday) when the Committee is not sitting, until the day of . And that on the last-mentioned day, the audit of the said accounts will be opened by at the hour of o'clock ; when and where objections to any matter contained in the said several Accounts will be heard.

Dated the day of 19 .

Resident Medical Superintendent.

FORM 9.

NOTICE BY SUPERINTENDENT TO OFFICERS OF THE ASYLUM AS TO TIME
AND PLACE OF AUDIT.

day of 19 .

District Asylum.

SIR,

IN pursuance of the Asylum Accounts Order, 1899, I hereby give you notice that the Audit of the Accounts of this Asylum will be opened on the day of 19 in the Board Room of the Asylum, at the hour of by and you are required to attend at the time and place above-mentioned, then and there to produce all books, accounts, and vouchers relating to your duty as an accounting officer of the said Asylum.

I am,

SIR,

Your obedient Servant,

Resident Medical Superintendent.

To Mr.

*

of the above-named Asylum.

* Here insert name of office held.

FORM 10.

ANNUAL ESTIMATE AND DEMAND BY COMMITTEE OF ASYLUM.

County of

District Asylum of

The Committee of the above-named Asylum hereby transmit to the Council the annexed Tables, showing—(a) the estimated liabilities and expenditure, and (b) the estimated revenue of the Committee for the ensuing financial year ended the 31st day of March, 19 , together with (c) the calculation and apportionment to contributory Counties or County Boroughs, if any, of sums required to meet the expenses for the said financial year.

The Committee hereby demand that the sum of Pounds
Shillings and Pence shall be supplied by the Council
as follows :

By transferring at the first and each subsequent Quarterly Meeting of the Council, held in the said financial year, out of the County Fund to the credit of the Committee, in the Branch of the Bank (being the Treasurer of the Asylum), a sum equal to one-fourth part of the sum hereinbefore demanded.

Signed by order and on behalf of the Committee.

Presiding Chairman.

Resident Medical Superintendent.

Dated this day of 19 .

To

Secretary to the Council
of the

FORM 10—continued.

TABLE (a).—ESTIMATE OF LIABILITIES AND EXPENDITURE OF THE COMMITTEE IN THE FINANCIAL YEAR ENDED THE 31ST MARCH, 19

Head of Account.	Expenditure as estimated for preceding Financial Year.			Estimated Expenditure for ensuing Financial Year.			Observations as to Increases or Decreases.
	First Half.	Second Half.	Total.	First Half.	Second Half.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Salaries and Wages - - -							
Superannuation - - -							
Provisions and Groceries - -							
Wine, Spirits, and Beer - -							
Tobacco and Snuff - - -							
Medicine and Medical and Surgical Appliances - -							
Clothing - - -							
Bedding - - -							
Furniture - - -							
Fuel and Light - - -							
Washing Materials - - -							
Water Supply - - -							
Farm and Garden Expenses - -							
Repairs and Alterations - -							
Stationery, Printing, and Advertising - - -							
Rent, Rates, Taxes, and Insurance - - -							
Incidental Expenses, including Postage - - -							
Maintenance of Patients in Workhouses under the Act 38 & 39 Vict., cap. 67, sec. 9.							
Repayment of Loans - - -							
Total - - -							

TABLE (b).—ESTIMATE OF PROBABLE REVENUE OF THE COMMITTEE (OTHER THAN MONEY SUPPLIED ON DEMAND) IN THE FINANCIAL YEAR ENDED THE 31ST MARCH, 19

Head of Account.	Revenue as estimated for preceding last Financial Year.			Estimated Revenue ensuing Financial Year.			Observations as to Increases or Decreases.
	First Half.	Second Half.	Total.	First Half.	Second Half.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Receipts from Paying Patients.							
Sales of Farm and Garden Produce.							
Sales of Offal, Old Stores, &c.							
Fines on Servants - -							
Interest allowed by Bank.							
Miscellaneous Receipts							
Total - - -							

s 31848.

E E

3. Criminal Lunatics.***THE EXPENSES OF CRIMINAL LUNATICS CALCULATIONS
ORDER, 1902. DATED APRIL 3, 1902.**

1902. No. 323.

BY THE LORD LIEUTENANT-GENERAL AND GENERAL
GOVERNOR OF IRELAND.*Cadogan.*

In pursuance of the powers conferred on us by Section 3 of the Lunacy (Ireland) Act, 1901,† and of every other power in that behalf enabling us, we do, with the approval of the Treasury, make the following regulations, that is to say:—

1. There shall be kept in every district lunatic asylum in Ireland, in addition to the books and registers prescribed by "The Asylum Accounts Order, 1899,"‡ "The Asylum Books and Records Order, 1900,"§ or other Order or Orders of the Local Government Board or the inspectors of lunatics for the time being in force, a book to be called the "register of criminal lunatics." in which shall be entered under the specified heads the particulars regarding every criminal lunatic, as defined by "The Lunacy (Ireland) Act, 1901," who shall be resident in or admitted to the asylum on and after the 1st day of April, 1902. The following shall be the form of register:—

Register of Criminal Lunatics.

Number in Register of Ad- missions.	Name of Criminal Lunatic.	Date of Admission.	Place of Detention prior to Admission.	Whether de- tained during Lord Lieutenant's Pleasure or Sentenced to Term of Im- prisonment.*	If sen- tenced, date of expira- tion of sentence.	If Discharged or Died before expiration of Sentence, the date thereof.	
						Dis- charged.	Died.
1.	2.	3.	4.	5.	6.	7.	8.

* Enter "L.I.P." or "Sentenced," as the case may be.

* The Order in Council of December 13, 1889, making Regulations as to the removal of Criminal Lunatics from and their return to British Possessions, is printed under the title "Colonial Prisoner."

† 1 Edw. 7. c. 17.

‡ Printed at p. 47 above.

§ This Order, which is not a Statutory Rule, being made under the provisions of the Asylum Accounts Order, is published in "Dublin Gazette," April 3, 1900, pp. 480-509.

DISTRICT LUNATIC

REMARKS.	10.
<p> 1. The first of the above is the only one which is not a member of the family of the first of the above. It is a member of the family of the second of the above. </p>	<p> 1. The first of the above is the only one which is not a member of the family of the first of the above. It is a member of the family of the second of the above. </p>

† The dates in the 3rd and 5th Columns are both to be included.

We certify the foregoing Return to be correct.

Dated this _____ day of _____ , 19____.

(Signed) *Clerk of Asylum.*

(Signed) *Resident Medical*

(Signed) *Chairman of Com.*

6. The final sheet of the return for each asylum shall bear a certificate in the following terms for signature by the auditor of the asylum accounts:—

“Having carefully examined the foregoing return, I certify that it has been prepared in accordance with the regulations in that behalf made by the Lord Lieutenant with the approval of the Treasury; that the gross average cost per patient during the year ending 31st March, 19 , which has been arrived at by dividing the daily average number of all patients resident into the gross expenditure during the year, including repayments in respect of loans and all other charges, and without any deductions, has been £ s. d.; that the total cost of the criminal lunatic for the total collective number of days' maintenance during the year, as shown at foot of column 6, was £ s. d.; that the total amount received in respect of such lunatics other than moneys provided by Parliament, as set forth at foot of column 9, was £ s. d.; and that the committee of management of the district lunatic asylum is entitled to the difference between the two last-mentioned sums for the year ending 31st March, 19 , being pounds shillings and pence (£ s. d.), in pursuance of the provisions of the Lunacy (Ireland) Act, 1901, Section 3.

Dated this day of 19 .

Local Government Auditor.”

7. The names of the criminal lunatics included in this return shall not be shown in the capitation grant return in respect of the period during which they are detained as criminal lunatics.

8. The resident medical superintendent in each case shall forward the return, when completed and signed by the auditor, to the office of the General Prisons Board, Dublin Castle, whereupon that Board shall issue a paying order in favour of the treasurer of the asylum for the time being for the amount certified as due to the committee of management.

9. As soon as possible after the foregoing return shall have been certified by the auditor each year, the clerk of the asylum shall strike out of the register of criminal lunatics, by drawing a line with red ink, the name of every criminal lunatic, and the entries respecting him or her, who shall have died or been discharged, or whose sentence shall have expired between the 1st day of April and the 31st day of March (both inclusive), in the year to which the return relates.

10. When a patient ceases to be a criminal lunatic, either by reason of the expiration of his or her sentence or otherwise, and such patient continues to be detained in the asylum as an ordinary patient, the clerk of the asylum shall thereupon make such entries respecting such patient in the "general register of patients," and in such other prescribed registers and returns as may be necessary, in order that such patient may thenceforth be dealt with as an ordinary patient and not as a "criminal lunatic."

Given at His Majesty's Castle of Dublin this 3rd day
of April, 1902.

By His Excellency's Command,

J. B. Dougherty.

MALTA.

LETTERS PATENT, DATED JUNE 3, 1903, PROVIDING FOR THE ADMINISTRATION OF THE GOVERNMENT OF THE ISLAND OF MALTA AND ITS DEPENDENCIES.

EDWARD THE SEVENTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these presents shall come, Greeting:

Recites
Letters
Patent,—
25th June,
1878.
20th June,
1884.
12th Decem-
ber, 1887.
19th March,
1888.
14th Feb-
ruary, 1889.
19th August,
1891.
6th February,
1893.
14th Feb-
ruary, 1894.
16th Decem-
ber, 1898.
26th Septem-
ber, 1902.

Whereas by certain letters patent bearing date respectively the twenty-fifth day of June 1878,* the twentieth day of June 1884,* the twelfth day of December 1887,* the nineteenth day of March 1888,* the fourteenth day of February 1889,* the nineteenth day of August 1891,† the sixth day of February 1893,‡ the fourteenth day of February 1894,§ the sixteenth day of December 1898,|| and the twenty-sixth day of September 1902,¶ provision was made for the administration of the government of our island of Malta and its dependencies as in the said letters patent is described and set forth:

And whereas we are minded to make further provision for the administration of the government of our said island of Malta and its dependencies and it is expedient that the afore-said letters patent should be revoked:

Now know ye that we have thought fit to revoke and determine, and by these presents do revoke and determine, but without prejudice to anything lawfully done thereunder, the said recited letters patent, and every clause, article, and thing therein contained, and further know ye that we of our special grace, certain knowledge, and mere motion have thought fit to constitute, order, and declare, and do by these presents constitute, order, and declare, as follows:—

1. There shall be a Governor and Commander-in-Chief (herein-after called "our said Governor") in and over our said island, and the person who shall fill the said office of Governor shall be from time to time appointed by commission under our sign manual and signet. And we do hereby authorise and command our said Governor to do and execute, in due manner,

Office of
Governor
constituted.

* These Orders are printed in Statutory Rules and Orders Revised (1st Edition), Vol. 8, pp. 510, 512, 513, 524, and 528 respectively.

† Printed in Statutory Rules and Orders, 1896, p. 820.

‡ Printed in Statutory Rules and Orders, 1896, p. 822.

§ Printed in Statutory Rules and Orders, 1894, p. 521.

|| Printed in Statutory Rules and Orders, 1898, p. 1292.

¶ Printed in Statutory Rules and Orders, 1902, p. 602.

Governor's
powers and
authorities.

all things that shall belong to his said command, and to the trust we have reposed in him, according to the several powers and authorities granted or appointed him by virtue of these present letters patent and of such commission as may be issued to him under our sign manual and signet, and to such other powers and authorities, being still in force, as may have been heretofore given to any of his predecessors in his said command, and according to such instructions as may from time to time be given to him, under our sign manual and signet, or by our Order in our Privy Council, or by us through one of our Principal Secretaries of State, and according to such laws as are or shall hereafter be in force in our said island.

Office of
Lieutenant-
Governor and
Chief Secre-
tary to
Government
constituted.

2. There shall be a Lieutenant-Governor and Chief Secretary to Government in and over our said island, and appointments to the said office shall be made by commission under our sign manual and signet.

The Lieutenant-Governor and Chief Secretary to Government shall do and execute during our pleasure all things belonging to his office according to such instructions as may from time to time be given to him by us under our sign manual and signet, or through one of our Principal Secretaries of State.

Public Seal.

3. And we do hereby authorise and empower our said Governor to keep and use the public seal of our said island for sealing all things whatsoever that shall pass the said public seal.

Grant of
lands.

4. And we do further authorise and empower our said Governor, in our name and on our behalf, to make and execute under the said seal grants and dispositions of any lands or other immovable property which may be lawfully granted and disposed of by us within our said island, either in conformity with instructions under our sign manual and signet, or in conformity with such regulations as are now in force or may be made by our said Governor in that behalf and duly published in our said island.

Proviso.
Land grants
to be made in
conformity
with the Laws.

Grant of
pardons.

5. And we do further authorise and empower our said Governor, as he shall see occasion, in our name and on our behalf, when any crime or offence has been committed within our said island, or for which the offender may be tried therein, to grant a pardon to any accomplice in such crime or offence, who shall give such information as shall lead to the conviction of the principal offender or of any one of such offenders if more than one; and further, to grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate, within our said island, a pardon, either free or subject to lawful conditions, or any respite of the execution of the sentence of any such offender, for such period as to our said Governor may seem fit, and to remit any fines, penalties, or forfeitures which may become due and payable to us. Pro-

Remission of
fines.

vided always, that our said Governor shall in no case, except when the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself from our said island.

Proviso.
Banishment
from Colony
prohibited.
Exception.
Political
offences.

6. And we do further authorise and empower our said Governor, so far as we lawfully may, upon sufficient cause to him appearing, to suspend from the exercise of his office within our said island any person exercising any office within our said island under or by virtue of any commission or warrant granted or to be granted by us in our name or under our authority, which suspension shall continue and have effect only until our pleasure therein shall be signified to our said Governor.

Suspension
from office.

7. In the event of the death, incapacity, removal, or absence of our said Governor out of our said island, all and every the powers and authorities in our said letters patent granted to him shall, until our further pleasure is signified, be vested in such person or persons as may be appointed by us under our sign manual and signet to administer the government of our said island, and in case there shall be no person or persons within our said island so appointed by us, then in the senior officer for the time being in command of our regular troops in our said island.

Succession to
the Govern-
ment.

Administrator.

Senior Military
Officer.

In the event of our said Governor having received permission from us, or through one of our Principal Secretaries of State, to be temporarily absent from the said island, he may, by an instrument under the public seal of the island, appoint any person to be his deputy, and in that capacity to exercise, during such absence or until our pleasure be signified, such of the powers vested in the Governor as the Governor shall think fit to assign to him.

Governor
may appoint
a Deputy to
act during
his temporary
absence.

8. From and after the coming into operation of these our letters patent the present Council of Government in Malta shall cease to exist, and there shall be in and for Malta a Council of Government constituted as hereinafter mentioned.

Constitution
of Council of
Government.

9. The Council shall consist of the Governor as President, a Vice-President, the person lawfully discharging the duties of Lieutenant-Governor and Chief Secretary to Government, nine official members, and eight elected members.

Composition
of Council.

10. The Vice-President of the Council of Government shall be appointed by us through one of our Principal Secretaries of State, and shall hold his office during our pleasure.

Vice-Presi-
dent;
appointment
and tenure.

11. The official members of the Council shall be the person for the time being lawfully discharging the duties of the office of Crown Advocate, and such eight other persons for the time being holding public offices in Malta, and being members of the Executive Council, as we may from time to time appoint by warrants under our sign manual and signet, or as the Governor

Official
Members.

may from time to time by instrument under the public seal of Malta appoint, subject to our disallowance or confirmation through one of our Principal Secretaries of State. The official members of the Council shall hold their places therein during our pleasure.

Suspension
of Official
Members.

12. The Governor may by an instrument under the public seal of Malta suspend any official member of the Council from the exercise of his functions as a member of the Council. Every such suspension shall be forthwith reported by the Governor to one of our Principal Secretaries of State, and shall remain in force unless and until it shall be either removed by the Governor by an instrument under the said seal, or disallowed by us through one of our Principal Secretaries of State.

Provisional
appointment
of Official
Members.

13. Whenever any official member of the council shall be suspended as aforesaid, or shall be declared by the Governor by an instrument under the said seal to be incapable of exercising his functions as such member, or shall be temporarily absent from Malta, the Governor may by an instrument under the said seal appoint some other person holding a public office in Malta to be provisionally an official member of the Council in the place of the member so suspended or declared incapable or absent.

Every such provisional appointment may be disallowed by us through one of our Principal Secretaries of State, or may be revoked by the Governor by any such instrument as aforesaid.

Every person so provisionally appointed shall be to all intents and purposes an official member of the Council until his appointment shall be disallowed, or revoked, or superseded by the permanent appointment of an official member of the Council, or until the person in whose place he has been appointed shall be relieved from suspension, or declared by the Governor by any such instrument as aforesaid to be capable of exercising the functions of a member of the Council, or shall have returned to Malta, as the case may be.

Division of
Malta and its
Dependencies
into eight
electoral
districts.

14. The island of Malta and its dependencies shall be divided into eight electoral districts for the purpose of the election of members of the Council of Government.

Electoral
districts
defined in
Schedule.

15. The aforesaid eight electoral districts shall be those described in the first schedule hereto annexed, and each of the said eight electoral districts shall consist of the places therein mentioned, and the limits of the places mentioned in the said schedule, where not otherwise defined therein, shall be respective parochial limits.

Each district
to return one
Member, and
each elector
to have one
vote.

16. Each district shall be represented by one member, and each elector registered in each district shall have one vote at each election of a member for that district.

17. No person shall be registered as an elector in more than one district, except in the case provided for in Clause 23 of these letters patent.

Electors to be registered in only one district, except under Clause 23.

18. Every male person shall be entitled to be registered as an elector, and when registered to vote at the election of a member of the Council, who is qualified as follows, that is to say :—Has attained the age of twenty-one years, and is a British subject by birth or naturalisation, and either

Qualification of electors.

- (1) is qualified by law in Malta and its dependencies to serve as a common juror, whether he is or is not exempted by age, office, or profession from the obligation of serving as a juror ; or
- (2) is paying and has paid, for six months next before registration, rent for immovable property in Malta at the rate of at least six pounds by the year ; or
- (3) is, in his own right or in right of his wife, in receipt from immovable property in Malta of a clear income of at least six pounds in the year, and has been entitled to such income for six months next before registration.

Provided that no person shall be registered as an elector, or be entitled to vote for the election of a member of the Council, who shall be subject to any of the disqualifications for being elected a member of the Council, numbered (1), (3), and (4) in Clause 28 of these letters patent.

19. A person who is qualified to be registered as an elector by reason of his being qualified to serve as a common juror shall be entitled to be registered in the district in which he resides, or, if he resides in more than one district, in any one of those districts at his option.

Registration of electors qualified as common jurors.

20. A person shall be entitled to be registered as an elector in any district in which he possesses a complete qualification, either by paying rent for, or by the receipt of income from, property situated in that district.

Registration of elector qualified by paying rent for or by receipt of income from property.

21. A person who is qualified to be registered as an elector by paying rent for, or by receipt of income from, property situated in two or more districts, but does not possess a complete qualification in any one district, shall be entitled to be registered in any one of those districts at his option.

Registration of elector where qualification made up from property in several districts.

22. A person who, but for the provisions of Clause 17 of these letters patent, would have been entitled to be registered in two or more districts, shall be entitled to be registered in any one of those districts at his option.

Registration of elector qualified for registration in two or more districts.

Registration of elector who has complete qualification as owner of property.

23. A person possessing in each of two or more districts a complete qualification in respect of income derived from immovable property situated in that district, of which he or his wife is the owner, shall be entitled to be registered and to vote in each of the districts in which he possesses that qualification; but he cannot be registered or vote in any other district in respect of any other kind of qualification.

Persons ineligible for registration as electors in certain conditions.

24. No person shall be qualified to be registered as an elector in respect of the payment of rent for immovable property unless he is the occupier of such property; and no person shall be qualified to be registered as an elector in respect of the receipt of income derived from immovable property for which he pays rent, and which he does not possess on emphyteusis.

Governor to make regulations for registration, &c.

25. Our Governor in our said island and its dependencies, or any person for the time being lawfully administering the government of our said island and its dependencies, shall, as soon as possible after the promulgation of these letters patent, establish by proclamation such regulations, not inconsistent with these letters patent, as he may think necessary for defining and delimiting the boundaries of electoral districts and for regulating the registration of electors and the election of members of the Council of Government, and such regulations shall take effect and have the force of law in Malta and its dependencies immediately on the proclamation thereof; and the provisions of any letters patent, Orders in Council, or ordinances repugnant to the provisions of any such regulations shall be read subject to such regulations, and shall to the extent of such repugnancy be void and inoperative; but any such regulations may be repealed or altered by any ordinance or ordinances hereafter to be enacted by the Governor, with the advice and consent of the Council of Government, or by any letters patent or Orders in Council which may thereafter be issued or passed.

Qualifications of elected members.

26. No person shall be capable of being elected a member of the Council, or, having been elected, shall sit or vote in the Council, unless he—

- (1) is qualified to be registered as an elector, and either
- (2) possesses and has possessed for at least twelve months next before the election, in his own right or in right of his wife, immovable property in Malta of the clear value of one hundred pounds, above all charges and incumbrances affecting the same; or
- (3) rents and has rented for at least twelve months next before the election immovable property in Malta of the yearly value of ten pounds; or
- (4) being the occupant of any room or lodging in Malta, has paid continuously for at least twelve months next before the election for his board and lodging at the rate of at least forty pounds yearly, or for his lodging only at the rate of at least ten pounds yearly.

Disqualification for Membership of Council of Government. 7

27. No person who is in receipt of salary payable out of the public revenue of Malta shall be capable of being elected a member of the said Council of Government or having been elected shall sit or vote in the said Council. If any elected member of the said Council of Government shall, after his election, become subject to the disqualification aforesaid, his seat in the said Council shall thereupon become vacant.

No person drawing salary from Malta funds eligible for election to Council of Government, or if elected shall not sit or vote in Council. Any member of Council incurring this disqualification, his seat thereupon to become vacant.

28. No person shall be capable of being elected a member of the Council, or having been elected shall sit or vote in the Council, who—

Disqualification of elected members.

- (1) has been sentenced by any competent court for any crime punishable by death, hard labour for any period, imprisonment for a period exceeding one year, or for any other crime against the peace or honour of families referred to in Chapter II. of Title VI. of the first part of the Second Book of the Criminal Laws of Malta, sentences for manslaughter or other crimes against the person excusable for any of the causes contemplated in Article 233 and Nos. 1 and 2 of Article 236 of the same Laws being excepted, and has not received a free pardon from us for the crime for which he has been so sentenced ;
- (2) is an uncertificated bankrupt ;
- (3) has within five years before the election received charitable relief in Malta from any public source ; or
- (4) is of unsound mind.

29. No ecclesiastical person shall be capable of being elected a member of the Council, or having been elected shall sit or vote in the Council, and any member of the Council who shall become an ecclesiastical person shall thereupon be deemed to have vacated his seat in the Council.

Disqualification of ecclesiastical persons.

30. Every person who, having been returned as a member of the Council, but not having been at the time of his election qualified to be elected, shall sit or vote in the Council, shall for every day on which he shall sit or vote in the Council, and every person who shall sit or vote in the Council after his seat shall have become vacant shall for every day on which he shall sit or vote after his seat shall have become vacant, be liable to a penalty not exceeding fifty pounds, to be recovered by action in His Majesty's Civil Court by any person who shall sue for the same.

Penalty for unqualified persons sitting or voting as member of Council.

31. All questions which may arise as to the right of any person to be or remain an elected member of the Council shall be referred to and decided by our Court of Appeal in Malta.

Questions as to qualification of members or vacating of seats to be determined by Court of Appeal.

32. If any elected member of the Council shall, by writing under his hand addressed to the Governor, resign his seat in the Council, or shall be absent, except on the ground of illness,

Seat of elected member : how vacated.

from the sittings of the Council for a period of two calendar months during the session of the Council without the leave of the Council, or shall for the period of one month be a party to any contract with the Government of Malta, for or on account of the public service, or shall become subject to any of the disqualifications specified in these letters patent, or shall take any oath or make any declaration of allegiance to any foreign state or power, his seat in the Council shall thereupon become vacant.

Writ for election to supply vacancy.

Whenever the seat of an elected member has become vacant, the Governor shall, as soon as possible, issue a writ for the election of a new member in the place of the member whose seat has become vacant.

Oath to be taken by members of Council.

33. No member of the Council shall sit or vote therein until he shall have taken and subscribed the following oath before the Governor, or some person authorised by the Governor to administer such oath:—

“I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King Edward His heirs and successors, according to law.

“So help me God.”

Provided that every person authorised by law to make an affirmation instead of taking an oath may make such affirmation instead of taking the said oath.

Power to make laws.

34. It shall be lawful for the Governor, with the advice and consent of the Council, to make laws for the peace, order, and good government of Malta. Such laws shall be styled “Ordinances enacted by the Governor of Malta, with the advice and consent of the Council of Government thereof.”

Subject to disallowance or amendment.

But we hereby reserve to ourselves, our heirs and successors, power to disallow any such ordinance, either in whole or in part, and to amend any such ordinance in such manner as may be necessary or expedient, such disallowance or amendment to be signified to the Governor through one of our Principal Secretaries of State.

Council may require the aid of the judges.

35. And we do further direct that the said Council may require the aid of any one or more of the judges for our said island and its dependencies, in the discussion of any law.

Assent to ordinances.

36. No ordinance to be enacted by the Governor with the advice and consent of the Council shall take effect until either the Governor shall have assented thereto in our name and on our behalf, and shall have signed the same in token of such assent, or until we shall have given our assent thereto by our Order in our Privy Council or through one of our Principal Secretaries of State.

Presentation of ordinances to the Governor for his assent.

37. And we do further direct that before any ordinance shall be finally passed by our said Governor, with the advice of the said Council, the same shall be taken to be presented to

our said Governor for his assent on our behalf, and that the said Governor shall declare according to his discretion, but subject nevertheless to the provisions contained in these our letters patent, and to such instructions as may from time to time be given in that behalf by us, our heirs and successors, that he assents to such Ordinance, or that he reserves his assent thereto, or that he reserves such Ordinance for the signification of our pleasure thereupon.

38. When the Governor assents to an Ordinance he shall, by the first convenient opportunity, transmit to one of our Principal Secretaries of State a transcript of the Ordinance authenticated under the public seal of Malta and by his own signature. If at any time within two years from the date of the Governor's assent to any Ordinance we shall notify to the Governor, through one of our Principal Secretaries of State, our disallowance of such Ordinance, or any part thereof, the Ordinance, or the part thereof so disallowed, shall become null and void from and after the day on which the Governor shall signify such disallowance by proclamation.

Disallowance
of Ordinances.

39. And we do declare our pleasure to be, that all Ordinances passed by our said Governor, with the advice and consent of the said Council, shall take effect, and come into operation as law, from and after the date at which it shall be enacted by our said Governor, with the consent of the said Council, that such Ordinances are to take effect and come into operation as law.

Time from
which Ordin-
ances are to
take effect.

40. The Governor may reserve any Ordinance passed by the Council for the signification of our pleasure thereon, and shall so reserve any such Ordinance by which any provision of these letters patent is repealed, altered, amended, or which is in any way repugnant to or inconsistent with any of the provisions of these our letters patent. An Ordinance so reserved shall take effect so soon as we shall have given our assent thereto, either by our Order in our Privy Council, or through one of our Principal Secretaries of State.

Reservations
of Ordinance.

41. And we do enjoin and require our said Governor to transmit to the Chief Justice and President of the Court of Appeal of our said island of Malta, to be enrolled in the said Court, a transcript, duly authenticated in the manner before mentioned, of every Ordinance to be passed by our said Governor with the advice and consent of the said Council, and our said Governor is also from time to time to transmit to the said Chief Justice and President of the Court of Appeal, to be enrolled in the said Court, a certificate under his hand and seal, of the effect of every Order which he may have received from us for confirming or disallowing, in the whole or in part, or for amending the provisions of any such Ordinance, which certificate shall in like manner be enrolled in the said Court, and there remain on record to the intent that the Judges of the said Court may without further or other proof take cog-

Enrolment of
Ordinances.

nissance of all Ordinances to be made and promulgated for the peace, order, and good government of the said island and its dependencies : Provided always, and we do hereby declare, that the Judges of the said Court have not, and shall not have, any right or authority to prevent or delay the enrolment of any such Ordinances, and that the validity thereof doth not, and shall not, depend upon such enrolment.

Governor or Vice-President, or Member to be appointed by Governor, to preside.

42. The Governor, if present, or, in the absence of the Governor, the Vice-President, or, in the absence of the Governor and Vice-President, such member of the Council of Government as the Governor shall from time to time appoint, shall preside at the meetings of the said Council. Neither the Governor nor the Vice-President, nor any member for the time being presiding at a meeting of the Council, shall have either an original or a casting vote.

Voting.

43. All questions arising at meetings of the Council shall be determined by a majority of the votes of all the members present, except the Governor and the Vice-President or other presiding member, and in case of an equality of votes the question shall be determined in the negative. Provided that the Governor may disallow any vote or resolution of the Council, and any vote or resolution so disallowed shall have no force or effect.

Initiation of money votes.

44. The Council shall not pass and the Governor shall not assent to any Ordinance, vote, or resolution, the object or effect of which is to impose any tax or to dispose of or charge any part of the public revenue, or to revoke, alter, or vary any such tax, disposition, or charge, unless such Ordinance, vote, or resolution shall have been proposed by the direction or with the express sanction of the Governor.

Initiation of other votes, Ordinances, &c.

45. Every member of the Council may, upon due notice being given, propose any Ordinance or resolution which does not impose any tax or dispose of or charge any part of the public revenue, or revoke, alter, or vary any such tax, disposition, or charge.

Council may transact business notwithstanding vacancies. Quorum.

46. The Council shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the members, but no business except that of adjournment shall be transacted unless there shall be present at least six members besides the Governor or other presiding member.

Governor and Council to conform to Royal Instructions.

47. Subject to the provisions of these letters patent the Governor and the Council shall, in the transaction of the business of the Council, and the passing of, assenting to, and enrolment of Ordinances, conform as nearly as may be to the directions as to the transaction of the business of, and the passing of, assenting to, and enrolment of laws enacted by the Council of Government constituted by any letters patent heretofore in force, contained in any instructions under our sign manual and signet heretofore addressed to the Governor,

which shall not for the time being have been revoked, and to such further instructions under our sign manual and signet as may be hereafter addressed to the Governor in that behalf, but no Ordinance enacted by the Governor, with the advice and consent of the Council, shall be invalid by reason that in the enactment thereof any such instructions were not duly observed.

48. Subject to the provisions of these letters patent and such instructions as aforesaid, the Council may make standing rules and orders for the regulation of its own proceedings, and until any such rules and orders shall be made, and subject to any rules and orders to be so made, the standing rules and orders of the Council of Government now in force shall remain in force and apply, so far as the same are applicable thereto, to the Council established by these letters patent.

Power to make
Standing
Orders.

49. The sessions of the Council shall be held at such times and places as the Governor shall from time to time by proclamation appoint. There shall be at least one session of the Council in every year, and there shall not be an interval of twelve months between the last sitting of one session and the first sitting of the next following session. The first session shall be held within six months from the promulgation of these letters patent.

Sessions of
Council.

50. The Governor may at any time, by proclamation, prorogue or dissolve the Council.

Prorogation
and Dissolu-
tion of Council.

51. The Governor shall dissolve the Council at the expiration of three years from the date of the return of the first writs at the last preceding general election, if it shall not have been sooner dissolved.

Duration of
Council.

52. A general election shall be held at such time within three months after every dissolution of the Council as the Governor shall by proclamation appoint.

Times of first
and subse-
quent general
elections.

53. Sums of money, not exceeding the several sums specified in the second schedule hereunto annexed, shall in every year be charged on and paid out of the revenue of Malta, under the several heads and for the services specified in the said schedule. The said sums shall be paid by the Receiver-General upon such warrants as shall be directed to him from time to time under the hand of the Governor.

Civil list.

54. All pensions and gratuities which have been or may be hereafter granted by the Governor, with the sanction of one of our Principal Secretaries of State, in accordance with the rules which now regulate the grant of pensions and gratuities in Malta, or with any law or rules which shall be for the time being in force regulating the grant of such pensions or gratuities, to persons who have retired or shall retire from the public service of Malta or whose offices in Malta have been or shall be abolished, shall be charged upon and paid out of the public revenue of Malta.

Pensions to be
charged on
public revenue.

Constitution
of Executive
Council.

55. There shall be in and for Malta an Executive Council, consisting of the military officer for the time being in command of our regular forces in Malta not being in the administration of the Government, the persons for the time being lawfully discharging the duties of the respective offices of Lieutenant-Governor and Chief Secretary to Government and of Crown Advocate, and such other persons holding offices within our island of Malta as are now members of the said Executive Council, or as we may from time to time appoint by warrants under our sign manual and signet, or as the Governor may from time to time, by an instrument under the public seal of Malta, appoint, subject to our disallowance or confirmation through one of our Principal Secretaries of State.

All members of the Executive Council shall hold their places therein during our pleasure.

Officers and
others to obey
and assist the
Governor.

56. And we do hereby require and command all our officers and ministers, civil and military, and all other the inhabitants of our said island, to be obedient, aiding and assisting unto our said Governor, or, in the event of his death, incapacity, removal, or absence, to such person or persons as may from time to time, under the provisions of these our letters patent, administer the Government of our said island.

Interpreta-
tion.

57. In these letters patent, unless the context otherwise requires,—

The word "Malta" means the island of Malta and its dependencies.

The word "Governor" includes any person for the time being lawfully administering the Government of Malta.

The words "the Council" mean the Council of Government hereby constituted.

The expression "Ecclesiastical person" means any person being a member of any religious order in the Roman Catholic or any other Church, or being in Holy Orders (but not in minor orders) in any such Church, or being a minister of any religious persuasion.

The word "month" means calendar month.

Reservation
of power to
revoke, alter,
or amend
Letters Patent
and to legislate
by Order in
Council.

58. We hereby reserve to ourselves, our heirs and successors, our undoubted right, power, and authority to make, by and with the advice of our Privy Council, all such laws for the peace, order, and good government of Malta as to us, our heirs and successors, may seem necessary, and all such laws shall be of the same force and effect in Malta as if these letters patent had not been made.

Power reserved
to His Majesty
to revoke, alter,
or amend the
present Letters
Patent.

59. And we do hereby reserve to ourselves, our heirs and successors, full power and authority from time to time to revoke, alter, or amend these our letters patent as to us or them shall seem meet.

60. And we do further direct and enjoin that these our letters patent shall be proclaimed at such place or places within our said island as our said Governor shall think fit, and shall come into operation on a date to be fixed by such proclamation.*

Publication
of Letters
Patent.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster the third day of June in the Third year of Our Reign.

By Warrant under the King's Sign Manual.

Muir Mackenzie.

Schedules.

The First Schedule.

I. DISTRICT.

Valletta (East) including Strada Forni.

II. DISTRICT.

Valletta West
Sliema.

St. Julian's.
Misida.

III. DISTRICT.

Floriana.
Hamrun.
Pietà.

Curmi.
Zebbug.

IV. DISTRICT.

Cospicua.
Vittoriosa.
Calcara.

Zabbar.
Marsascala.

V. DISTRICT.

Senglea
Paula.
Tarxien.
Luca.
Gudia.

Axiack.
Zeitun.
Marsascirocco.
S. Giorgio a Mare.
Birzebbugia.

VI. DISTRICT.

Birchircara.
Balzan.
Lia.
Attard.

Gargur.
Naxaro.
Musta.
Melleha.

* A Proclamation was issued by the Governor on June 22, 1903, bringing the letters patent into operation on June 25, 1903.

VII. DISTRICT.

Notabile.	Micabiba.
Rabato.	Zurrico.
Dingli.	Bubakra.
Siggieni.	Safi.
Crendi.	Chircop.

VIII. DISTRICT.

Gozo ; together with Comino.

The Second Schedule.

	£
Governor's Establishment - - - - -	3,536
Council of Government - - - - -	150
Lieutenant-Governor and Chief Secretary - - - - -	2,700
Auditor-General - - - - -	550
Printing Office - - - - -	50
Public Works - - - - -	800
Water Works - - - - -	300
Receiver-General - - - - -	500
Customs - - - - -	500
Ports - - - - -	500
Post Office - - - - -	750
Public Registry - - - - -	150
Superior Courts - - - - -	4,300
Crown Lawyers - - - - -	865
Magistrates - - - - -	2,100
Gozo Courts - - - - -	500
Police - - - - -	2,172
Prisons - - - - -	230
Educational - - - - -	900
Charitable Institutions - - - - -	745
Monte di Pietà - - - - -	120
Crown Agents - - - - -	100
Clerical Establishment - - - - -	5,000
Civil Contingencies - - - - -	1,000
Drawbacks - - - - -	3,500
Military Contribution - - - - -	5,000
Public Health Department - - - - -	790
	£37,808

MARINES.

1. *Commissions, p. 1.* | 2. *Discipline, p. 1.*

1. Commissions.

ORDER IN COUNCIL, DATED MAY 5, 1873, APPOINTING
FORMS OF COMMISSION IN THE REGULAR AND AUXILIARY
FORCES.

[This Order in Council is printed under the title "Army."]

2. Discipline.

(a.) Discipline on Board Ship.

ORDER IN COUNCIL, DATED FEBRUARY 6, 1882, RESPECTING
THE DISCIPLINE OF ROYAL MARINES ON BOARD SHIP
WHETHER AS PART COMPLEMENT OR FOR SERVICE ON
SHORE.

[This Order in Council is printed under the title "Navy."]

(b.) Rules of Procedure.

RULE, DATED AUGUST 1, 1899, APPLYING THE (ARMY) RULES
OF PROCEDURE, 1899, TO THE ROYAL MARINES.

[This Rule is printed (together with the Rules of Proce-
dure, 1899) under the title "Army."] 3019.2

(c.) Summary Punishment.

RULES, DATED NOVEMBER 26, 1881, MADE BY THE ADMIR-
ALTY APPLYING THE RULES FOR SUMMARY PUNISHMENT
OF JULY 30, 1881, TO THE ROYAL MARINES.

[These Rules are printed (together with the Rules of
July 30, 1881,) under the title "Army."]

MARKET AND FAIR, ENGLAND.

Weighing of Cattle.

THE MARKETS AND FAIRS (WEIGHING OF CATTLE) RETURNS
(ENGLAND) ORDER OF 1896, DATED DECEMBER 27, 1895.*

1895. No. 598.

The Board of Agriculture, by virtue and in exercise of the powers in them vested under the Markets and Fairs (Weighing of Cattle) Acts, 1887,† and 1891,‡ and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows:

1. The market authority of every market held in any of the places specified in the First Schedule to this Order (being the places mentioned in the schedule to the Markets and Fairs (Weighing of Cattle) Act, 1891,‡ as the places in England from which returns are required to be made), and every auctioneer who sells cattle, sheep, or swine at any mart where cattle, sheep, or swine are habitually or periodically sold in any of the said specified places, shall send to the Board of Agriculture once in every week a return in the form specified in the second schedule to this Order setting forth, so far as the market authority or the auctioneer, as the case may be, can ascertain the same, the number of cattle, sheep, and swine entering the market or mart, and the number and weight of cattle, sheep, and swine weighed at the market or mart during the seven days next before the date of the sending in of the return, the price of the cattle, sheep, and swine sold during those seven days at the market or mart, and the other particulars indicated in the said form.

2. The Markets and Fairs (Weighing of Cattle) Returns (England) Order of 1893§ is hereby, from and after the commencement of this Order, revoked.

3. This Order may be cited as the Markets and Fairs (Weighing of Cattle) Returns (England) Order of 1896.

4. This Order shall come into operation on the first day of January, One thousand eight hundred and ninety-six.

In witness whereof the Board of Agriculture have hereunto set their official seal this twenty-seventh day of December, One thousand eight hundred and ninety-five.

(L.S.)

T. H. Elliott,
Secretary.

* This Order was amended by "The Markets and Fairs (Weighing of Cattle) Returns (England) Order of 1898," printed at p. 3 below.

† 50 & 51 Vict. c. 27.

‡ 54 & 55 Vict. c. 70.

§ Published in Statutory Rules and Orders, 1892, p. 621.

MARKET AND FAIR, ENGLAND.

First Schedule.

LIST OF PLACES IN ENGLAND FROM WHICH RETURNS ARE REQUIRED TO BE MADE.

Ashford.	London (Metropolitan Cattle Market).
Birmingham.	Newcastle-on-Tyne.
Bristol.	Norwich.
Carlisle.*	Salford.
Leicester.	Shrewsbury.
Leeds.	Wakefield.
Lincoln.	York.
Liverpool (Stanley Market).	

Second Schedule.

FORM OF RETURN.

England.

This return to be filled up weekly by the market authorities of markets and by the auctioneers selling at marts in the places in England mentioned in the schedule to the Markets and Fairs (Weighing of Cattle) Act, 1891, (54 & 55 Vict. c. 70.), as places from which returns are required to be made.

NUMBER, LIVE WEIGHT, AND PRICES OF CATTLE, SHEEP, AND SWINE.

Name of place
 Name of market or mart
 Total number of animals entering the market or mart. $\left\{ \begin{array}{l} \text{Cattle} \\ \text{Sheep} \\ \text{Swine} \end{array} \right.$. . . Seven days ending . . .

Particulars as to Cattle, Sheep, and Swine weighed.

Class of Live Stock.	Quality.	Number.	Animals sold at per Stone Live Weight.		Animals sold otherwise.		Remarks.
			Price per Stone of 14 lbs.	Weight in Stones of 14 lbs.	Aggregate Weight in Stones of 14 lbs.	Aggregate Price.	
			s. d.	Stones.	Stones.	£ s. d.	

Signature

Address

Date

* Added by Order of 1898, printed at p. 3 below.

THE MARKETS AND FAIRS (WEIGHING OF CATTLE)
RETURNS (ENGLAND) ORDER OF 1898. DATED
DECEMBER 22, 1897.

1897. No. 918.

The Board of Agriculture, by virtue and in exercise of the powers in them vested under the Markets and Fairs (Weighing of Cattle) Acts, 1887* and 1891,† and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows:

1. The provisions of the Markets and Fairs (Weighing of Cattle) Act, 1891,† relating to the making of returns, shall apply to Carlisle in the county of Cumberland as if such place were mentioned in the schedule to that Act.

2. The Markets and Fairs (Weighing of Cattle) Returns (England) Order of 1896‡ shall be read as if such place were specified in the First Schedule to that Order.

3. This Order may be cited as the Markets and Fairs (Weighing of Cattle) Returns (England) Order of 1898.

4. This Order shall come into operation on the first day of January, One thousand eight hundred and ninety-eight.

In witness whereof the Board of Agriculture have hereunto set their official seal this twenty-second day of December, One thousand eight hundred and ninety-seven.

(L.S.)

T. H. Elliott,
Secretary.

* 50 & 51 Vict. c. 27.

† 54 & 55 Vict. c. 70.

‡ Printed at p. 1 above.

MARKET AND FAIR, SCOTLAND.

Weighing of Cattle.

THE MARKETS AND FAIRS (WEIGHING OF CATTLE) RETURNS
(SCOTLAND) ORDER OF 1896, DATED DECEMBER 27, 1895.*

1895. No. 599.

The Board of Agriculture, by virtue and in exercise of the powers in them vested under the Markets and Fairs (Weighing of Cattle) Acts, 1887† and 1891,‡ and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows:

1. The market authority of every market held in any of the places specified in the First Schedule to this Order (being the places mentioned in the schedule to the Markets and Fairs (Weighing of Cattle) Act, 1891,‡ as the places in Scotland from which returns are required to be made), and every auctioneer who sells cattle, sheep, or swine at any mart where cattle, sheep, or swine are habitually or periodically sold in any of the said specified places, shall send to the Board of Agriculture once in every week a return in the form specified in the Second Schedule to this Order setting forth, so far as the market authority or the auctioneer, as the case may be, can ascertain the same, the number of cattle, sheep, and swine entering the market or mart, and the number and weight of cattle, sheep, and swine weighed at the market or mart during the seven days next before the date of the sending in of the return, the price of the cattle, sheep, and swine sold during those seven days at the market or mart, and the other particulars indicated in the said form.

2. The Markets and Fairs (Weighing of Cattle) Returns (Scotland) Order of 1893§ is hereby, from and after the commencement of this Order, revoked.

3. This Order may be cited as the Markets and Fairs (Weighing of Cattle) Returns (Scotland) Order of 1896.

4. This Order shall come into operation on the first day of January, One thousand eight hundred and ninety-six.

In witness whereof the Board of Agriculture have hereunto set their official seal this twenty-seventh day of December, One thousand eight hundred and ninety-five.

(L.S.)

T. H. Elliott,
Secretary.

* This Order was amended by "The Markets and Fairs (Weighing of Cattle) Returns (Scotland) Order of 1898," printed at p. 3 below.

† 50 & 51 Vict. c. 27.

‡ 54 & 55 Vict. c. 70.

§ Published in Statutory Rules and Orders, 1892, p. 623.

MARKET AND FAIR, SCOTLAND.

First Schedule.

LIST OF PLACES IN SCOTLAND FROM WHICH RETURNS ARE REQUIRED TO BE MADE.

Aberdeen.
Dundee.
Edinburgh.

Falkirk.*
Glasgow.
Perth.

Second Schedule.

FORM OF RETURN.

Scotland.

This return to be filled up weekly by the market authorities of markets and by the auctioneers selling at marts in the places in Scotland mentioned in the schedule to the Markets and Fairs (Weighing of Cattle) Act, 1891 (54 & 55 Vict. c. 70.) as places from which returns are required to be made.

NUMBER, LIVE WEIGHT, AND PRICES OF CATTLE, SHEEP, AND SWINE.

Name of place
Name of market or mart
Total number of } Cattle
animals entering the } Sheep
market or mart } Swine

Seven days ending

Particulars as to Cattle, Sheep, and Swine weighed.

Class of Live Stock.	Quality.	Number.	Animals sold at per Cwt. Live Weight		Animals sold otherwise.		Remarks.
			Price per Cwt.	Weight in Cwts.	Aggregate Weight in Cwts.	Aggregate Price.	
			s. d.	Cwts.qrs.lbs.	Cwts.qrs.lbs.	£ s. d.	

Signature

Address

Date

* Added by Order of 1898, printed at p. 3 below.

THE MARKETS AND FAIRS (WEIGHING OF CATTLE)
RETURNS (SCOTLAND) ORDER OF 1898. DATED
DECEMBER 22, 1897.

1897. No. 919.

The Board of Agriculture, by virtue and in exercise of the powers in them vested under the Markets and Fairs (Weighing of Cattle) Acts, 1887* and 1891,† and of every other power enabling them in this behalf, do order, and it is hereby ordered, as follows:—

1. The provisions of the Markets and Fairs Weighing of Cattle) Act, 1891,† relating to the making of returns, shall apply to Falkirk in the county of Stirling as if such place were mentioned in the Schedule to that Act.
2. The Markets and Fairs (Weighing of Cattle) Returns (Scotland) Order of 1896‡ shall be read as if such place were specified in the First Schedule to that Order.
3. This Order may be cited as the Markets and Fairs (Weighing of Cattle) Returns (Scotland) Order of 1898.
4. This Order shall come into operation on the first day of January, One thousand eight hundred and ninety-eight.

In witness whereof the Board of Agriculture have hereunto set their official seal this twenty-second day of December, One thousand eight hundred and ninety-seven.

(L.S.)

T. H. Elliott,
Secretary.

* 50 & 51 Vict. c. 27. † 54 & 55 Vict. c. 70. ‡ Printed at p. 1 above.

MARRIAGE.*

- | | |
|--|-------------------------------|
| 1. <i>Records relating to, p. 1.</i> | 3. <i>Of British Subjects</i> |
| 2. <i>Nonconformist Marriages, p. 2.</i> | <i>Abroad, p. 36.</i> |

1. Records relating to.

ORDER OF THE SECRETARY OF STATE, DATED FEBRUARY 2, 1858, DIRECTING ALL RECORDS, &C., EXCEPT MARRIAGE LICENCES, RELATING TO MATRIMONIAL CAUSES, &C., TO BE TRANSMITTED TO THE REGISTRAR OF THE COURT OF PROBATE.

To John Shephard, Esquire, Deputy Registrar of the Consistory Court of London, or to the officer or person having the public custody of or control over the letters patent, records, deeds, processes, acts, proceedings, books, documents, or other instrument relating to marriages, or to suits of divorce, nullity of marriage, restitution of conjugal rights, or to any other matter or causes matrimonial except marriage licences in the said Court.

In pursuance of the power given to me by an Act made and passed in the twentieth and twenty-first year of Her Majesty's reign, intituled "An Act to amend the law relating to Divorce and Matrimonial Causes in England,"† I, the Right Honourable Sir George Grey, Baronet, one of Her Majesty's principal Secretaries of State, do hereby order you, or either of you, to transmit the before-mentioned letters patent, records, deeds, processes, acts, proceedings, books, documents, or other instrument relating to marriages, or to suits for divorce, nullity of marriage, restitution of conjugal rights, or to any other matters or causes matrimonial, except marriage licences, on or before the eighth day of this present month of February, to the Registrar of the Court of Probate, at the Cathedral Church of St. Paul's, in the City of London.

Given under my hand at Whitehall, the second day of February, 1858.

G. Grey.

* The first two sub-sections of this title relate solely to England.

† The Matrimonial Causes Act, 1857 (20 & 21 Vict. c. 85).

2. Nonconformist Marriages.

RULES AND REGULATIONS UNDER THE MARRIAGE ACT, 1898 (61 AND 62 VICT. CAP. 58), FOR THE GUIDANCE OF AUTHORISED PERSONS AND OF THE TRUSTEES OR GOVERNING BODIES OF REGISTERED BUILDINGS IN WHICH MARRIAGES MAY BE SOLEMNIZED WITHOUT THE PRESENCE OF A REGISTRAR. MADE BY THE REGISTRAR-GENERAL FEBRUARY 21, 1899, AND APPROVED BY THE LOCAL GOVERNMENT BOARD FEBRUARY 22, 1899.

1899. No. 77.

1.—*The Registered Building.*

61 & 62 Vict.,
c. 58, s. 7 (4).

No registered building can be used for the purposes of the Marriage Act, 1898, unless the Registrar-General is satisfied that sufficient security exists (1) for the due registration of marriages, and (2) for the safe custody of Marriage Register Books; nor until an authorised person has been duly certified by the trustees or governing body to the Registrar-General and to the Superintendent Registrar of the district in which such registered building is situate; nor until duplicate marriage register books have been supplied by the Registrar-General.

Ibid. s. 6
(3, 4).

Ibid. s. 7 (3).

Ibid. s. 11.

The trustees or governing body of a registered building authorised to be used for the purposes of the Marriage Act, 1898, must provide a fireproof iron safe, which must be kept in a dry and secure place within such building; and the duplicate register books and forms for certified copies must be kept locked up in such safe when not actually in use, and the key thereof must be kept by the authorised person for the building, in his own possession. If the key of the safe be lost or broken, or the lock be out of repair, the trustees or the authorised person must at their or his expense have the loss or defect made good.

18 & 19 Vict.
c. 81.

61 & 62 Vict.
c. 58, s. 7 (4).

Whenever a registered building which has been used for the purposes of this Act is removed from the Registrar-General's official list of registered buildings, in accordance with the provisions of the Registration Acts, or if at any time the Registrar-General shall in his discretion attach to the continuance of a building upon his official register a condition that marriages under this Act shall cease to be solemnized therein, the trustees or governing body will be instructed by the Registrar-General as to the disposal of the register books and other official documents relating to such building.

2.—*The Authorised Person.*

61 & 62 Vict.
c. 58, ss. 6 (3)
& 7 (3).

No marriage can take place under the Marriage Act, 1898, in any registered building, except in the presence of a person who has been duly certified to the Registrar-General as having

Nonconformist Marriages :—Authorised Persons, &c. 3

been authorised for the purpose by the trustees or governing body of that registered building or of some other registered building sanctioned for use under the Act in the same registration district; nor until duplicate marriage registers have been supplied by the Registrar-General.

When it is desired to certify to the Registrar-General the appointment of an authorised person to act for any registered building, the trustees or governing body thereof must apply to the Registrar-General for the proper forms to be used for that purpose. These appointment forms will be issued *in triplicate*; the information as to the name and postal address of the person proposed must be filled up on each of the forms, which must then be signed by the trustees or governing body and be forwarded *within a week* to the Registrar-General, who will send one to the Superintendent Registrar, and one to the authorised person, the remaining form being filed in the general register office.

61 & 62 Vict.
c. 58, s. 6 (4).

Should the trustees or governing body appoint more than one authorised person for the same building, they must, when sending such appointment to the Registrar-General, notify which of such authorised persons is to be held responsible for carrying out the provisions of Section 11 of the Marriage Act, 1898, and for discharging the other duties contingent thereon.

The Superintendent Registrar must enter in a book with which he will be supplied by the Registrar-General, the names and addresses of all authorised persons within his district, and the names of the registered buildings for which they are authorised to act.

A person duly authorised to act for one registered building in a registration district may officiate at any other sanctioned registered building *within the same district*, but he cannot act in a registered building which is situate in another registration district.

61 & 62 Vict.
c. 58 s. 6 (3).

Whenever an authorised person for a registered building officiates at a marriage in another building in the same registration district, he must make arrangements with the authorised person for the building in which the marriage is to be solemnized, to have access to the Marriage Register Books belonging to that building, as none but such books may be used for a marriage therein which is solemnized under the provisions of the Marriage Act, 1898. The Marriage Register Books belonging to one registered building must *under no circumstances* be used for a marriage in any other building.

If a registrar of marriages should be required to attend a marriage in a building for which an authorised person has been appointed, such marriage must not be recorded in the registers supplied to such authorised person, but the

G G 2

registrar of marriages must register it in his own Register Book, in accordance with his regulations.

Whenever an authorised person changes his address his new address should be at once communicated to the Registrar-General and to the Superintendent Registrar of the district in which the building for which he is authorised is situated.

On the death, retirement, removal to another district, or deposition from office of any authorised person, the trustees or governing body must **at once** inform the Registrar-General, in order that forms may be sent for the appointment of a successor; and they must at the same time state what arrangements will be made for marriages in the building pending the new appointment. The trustees or governing body will be held responsible for the safe custody of the registers and for compliance with the Act in all respects whilst a vacancy exists.

No authorised person must act until his appointment has been received and acknowledged by the Registrar-General.

An authorised person appointed and certified in succession to another, must obtain from his predecessor, or from the trustees or governing body, the key of the fireproof safe, and must see that the duplicate registers, certified copy forms, and book of regulations come into his possession. If anything is wanting he must at once report the fact to the Registrar-General.

Authorised persons should carefully study this book of regulations in which their duties and obligations are set forth: failure to do this may not only render them liable to the heavy penalties specified in Section 12 of the Marriage Act, 1898, and also in the Marriage Acts, 1836 to 1886, but may lead to the illegal solemnization of marriages.

3.—*Attending a Marriage.*

When a marriage is appointed to take place in a registered building, the use of which for the purposes of the Marriage Act, 1898, has been officially sanctioned, an authorised person for such registered building, or one of the authorised persons for some other similarly sanctioned registered building within the same registration district, must attend at the time appointed, which must be between the hours of eight in the morning and three in the afternoon, **with the Duplicate Register Books belonging to the registered building in which the marriage is to be solemnized**, for the purpose of registering such marriage.

49 Vict. c. 14.
61 & 62 Vict.
c. 58, s. 7 (1).

On meeting the parties at the appointed registered building, the authorised person must require that the certificate or certificates, or the licence and certificate, on the authority of which the marriage is to take place, be delivered to him.

Nonconformist Marriages :—Authorised Persons, &c. 5

If the marriage is to be **by certificate** (*without licence*), and the parties reside in the same registration district, only one certificate is necessary; but if they reside in different districts, a certificate from the Superintendent Registrar of each district must be produced. 6 & 7 W. 4.
c. 85, ss. 4 & 16.

If the marriage is to be **by licence**, only one licence and one certificate are necessary, whether the parties reside in the same district or in different districts. 19 & 20 Vict.
c. 119, ss. 6, 9.

Certificates for marriage **without licence** are printed in black ink; certificates for marriage **by licence** are printed in red ink. 6 & 7 W. 4.
c. 85, s. 8.

Unless these indispensable documents be actually in the possession of the Authorised Person, he must not under any circumstances allow the Marriage to proceed.

For a **marriage without licence** the following are the legal forms of CERTIFICATE issued, under the various conditions, for production to the authorised person officiating at the marriage, and upon which alone he may act :—

1. A CERTIFICATE issued by the Superintendent Registrar of the district in which the registered building selected for the marriage is situate, the residence of one or both of the parties being within such district. 19 & 20 Vict.
c. 119, s. 4.
2. A CERTIFICATE issued by the Superintendent Registrar of another district than that in which the registered building selected for the marriage is situate, when one of the parties resides in the former and one in the latter district. *Ibid.*
3. A CERTIFICATE issued by the Superintendent Registrar of another district than that in which the registered building is situate, to meet cases in *which either one of the parties resides in a district wherein there is no registered building in which marriages are solemnized according to the rite, form, or ceremony which he or she desires to adopt*: the marriage can then take place in that district containing such a registered building which is nearest to his or her residence. 3 & 4. Vict.
c. 72, s. 2.
4. A CERTIFICATE issued by the Superintendent Registrar of another district than that in which the registered building is situate, to meet the case of parties who desire to be married in the *usual place of worship* of one or both of them, when such place of worship is not within the district or districts of residence of one or both of them, and is not more than two miles beyond the limits of the district in which notice of marriage is given. 19 & 20 Vict.
c. 119, s. 14.

19 & 20 Vict.
c. 119, s. 7.

5. A CERTIFICATE of a registrar of marriages in Ireland, when one of the parties resides in Ireland and the other in England or Wales.

This certificate must be in printed form (in black ink) similar to the corresponding English certificate.

19 & 20 Vict.
c. 119, s. 8.

6. A CERTIFICATE of proclamation of banns in Scotland, when one of the parties resides in Scotland and the other in England or Wales.

A certificate of publication of notice under the "Marriage Notice (Scotland) Act, 1878," must not be accepted.

For a marriage by licence the following are the legal forms of CERTIFICATE and LICENCE issued under the various conditions for production to the authorised person officiating at the marriage, and upon which alone he may act :—

19 & 20 Vict.
c. 119, ss. 6
& 9.

1. A CERTIFICATE and LICENCE issued by the Superintendent Registrar of the district in which the registered building selected for the marriage is situate, the residence of one or both of the parties being within such district.

Ibid.

2. A CERTIFICATE and LICENCE issued by the Superintendent Registrar of another district than that in which the registered building selected for the marriage is situate, when one of the parties resides in the former and one in the latter district.

3 & 4 Vict.
c. 72, s. 2.

3. A CERTIFICATE and LICENCE issued by the Superintendent Registrar of another district than that in which the registered building selected for the marriage is situate, when such building is the nearest to the residence of either one of the parties *who may desire to be married according to rites or ceremonies used in that building*.

19 & 20 Vict.
c. 119, s. 14.

4. A CERTIFICATE and LICENCE issued by the Superintendent Registrar of another district than that in which the registered building selected for the marriage is situate, when such building is the *usual place of worship* of one or both of the parties to be married, and is not more than two miles beyond the limits of the district in which the notice was given.

The authorised person must carefully examine each certificate and licence before he allows the marriage to proceed. He must see that in every certificate and licence, the registered building in which the parties are assembled, is specified as that in which the marriage is to be solemnized,—and that every certificate and licence has been duly signed by the Superintendent Registrar by whom it purports to have been issued. If the certificate or licence be defective in either of these particulars, the marriage must be postponed until the defect has

been remedied or the omission supplied. Also, if the prescribed interval of twenty-one clear days in the case of a marriage by certificate, or of one clear day in the case of a marriage by licence, has not elapsed since the date of the entry of the notice, the marriage must be postponed.

6 & 7 W. 4,
c. 85, ss. 39
& 42.

Whenever a marriage shall not have been solemnized **within three calendar months next after the day of the entry of the notice thereof in the Marriage Notice Book**, such notice, and the certificate and licence which may have been granted, and all other proceedings taken thereon, are **utterly void**.

6 & 7 W. 4,
c. 85, s. 15;
1 Vict. c. 22,
s. 8.

If the notice shall have been entered in the Marriage Notice Book on the *last day* of any month, the marriage may be solemnized *on or before the last day of the third following month*, but not at any subsequent date.

If the marriage be about to be solemnized, under the provisions of 3 & 4 Vict. c. 72, s. 2, in a registered building wherein marriage is solemnized according to the rite, form, or ceremony which the parties desire to adopt, such building being out of the district or districts of residence, the memorandum on the back of the certificate or licence should have been filled up and signed.

If the marriage be about to be solemnized in the *usual place of worship* of the parties or one of them, under the provisions of 19 & 20 Vict. c. 119, s. 14, such place of worship being out of the district or districts of residence, the following words should appear in the 7th column of the certificate:—

"*Such building being the usual place of worship of the said*
"*than two miles beyond the limits of the district of*
"*_____*" [naming the party or parties
and the district in which the party or parties resides or reside].

If, however, that memorandum have not been filled up and signed, or if the words "*such building*," &c., &c., have not been inserted, the authorised person may, on satisfactory explanation of the facts of the case, allow the marriage to proceed, taking care to have the omission subsequently supplied, without delay, by the Superintendent Registrar.

The authorised person must ascertain, by personal inquiry of the parties, whether their Christian names, surnames, and condition are completely and correctly described in the certificate and licence; and if he find that such is not the case, he must act in accordance with the next following instructions:—

- (a) If the Christian name or surname be entirely different from that which appears in the certificate, the marriage must be stopped and the parties must be referred to the Superintendent Registrar by whom the certificate was issued.

- (b) If either the man or the woman has adopted or is commonly known by a Christian name or surname other than his or her true name or surname, the marriage should not be stopped; but both names or surnames should be recorded in the Register Book, as herein-after prescribed.
- (c) Should the authorised person discover that the parties who are about to be married are within the prohibited degrees of kindred or affinity,* he must not allow the marriage to proceed.
- (d) As regards lesser discrepancies arising from ignorance, inadvertence, variation in spelling, or other causes which may be consistent with honesty of purpose, the authorised person may, if he is satisfied that there has been no attempt at concealment of identity or any other fraudulent intention, allow the marriage to proceed.

4.—Solemnization of a Marriage.

A marriage in a registered building, under the Marriage Act, 1898, must be solemnized with open doors (*i.e.*, doors not so closed as to prevent persons from entering), between the hours of eight in the morning and three in the afternoon, in the presence of an authorised person for that building or for some other registered building in the same registration district, and of two or more credible witnesses.

6 & 7 W. 4,
c. 85, s. 20;
49 Vict. c. 14.

In some part of the ceremony each of the parties must, in the presence of the authorised person and the witnesses, declare as follows:—

"I do solemnly declare that I know not of any lawful impediment why I [*naming himself or herself*] may not be joined in matrimony to [*naming the other party*]."

And each of the parties must also say to the other—

"I call upon these persons here present to witness that I [*naming himself or herself*] do take thee [*naming the other party*] to be my lawful wedded [*wife or husband*];"—or in lieu thereof—I, *A.B.*, do take thee, *C.D.*, to be my wedded [*wife or husband*]."

If one or both of the parties be **Welsh**, and be unable to speak English, the following authorised Welsh translation of the Declaration and Form of Contracting Words, as set forth in an

1 Vict. c. 22,
s. 23.

See p. 25.

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Order issued by the Registrar-General on 1st January, 1838,
may be used :—

TRANSLATION OF THE SOLEMN DECLARATION.

I do solemnly declare that I know not of any lawful impediment, why I, *A.B.*, may not be joined in matrimony to *C.D.*

Yr wyf i yn ddifrifol yn hysbysu na wn i am un rhwystr cyfreithlawn, fel nad ellir fy nghysylltu i, A.B., mewn priodas a C.D.

TRANSLATION OF THE CONTRACTING WORDS.

I call upon these persons here present to witness that I, *A.B.*, do take thee, *C.D.*, to be my lawful wedded wife (or husband).

Yr wyf i yn galw ar y Personau sydd yma yn bresennol i dystiolaethu fy mod i, A.B., yn dy gymmeryd di, C.D., yn Wraig bried gyfreithlawn (neu yn Wr priod cyfreithlawn) i mi.

Or in lieu thereof :—

I, *A.B.*, do take thee, *C.D.*, to be my wedded wife [or husband].

Yr wyf i, A.B., yn dy gymmeryd di, C.D., yn Wraig bried (neu yn Wr priod) i mi.

The authorised person must recite the Declaration and the Form of Contracting Words, in order that the parties may repeat them ; or they may be recited by any minister officiating at the marriage in conjunction with the authorised person.

In the case of a marriage solemnized in a registered building of the Roman Catholic Church, the Declaration and the Form of Contracting Words may be repeated in the sacristy or vestry, if the same be desired, provided that such sacristy or vestry be a part of the registered building, and that the authorised person and the witnesses be present when they are repeated.

If this Solemn Declaration and Form of Contracting Words, or either of them, be omitted from the ceremony it will not be a marriage ; and no ceremony must be registered as a marriage in which such Declaration and Words have been omitted.

As soon as the Declaration and Contracting Words have been spoken by both parties they are man and wife ; the marriage is complete and must forthwith be registered.

5.—*Registration of Marriages.*

A marriage having taken place at which an authorised person has been officially present, such authorised person must, immediately after the marriage, and in some part of the building in which it occurred, register such marriage in the Duplicate

61 & 62 Vict.
c. 58, s. 7 (1).

Register Books furnished for the use of that building by the Registrar-General, in the presence of the parties married and the witnesses.

6 & 7 W. 4,
c. 85, s. 86.

The authorised person is empowered to ask of the parties all the particulars required to be registered touching the marriage.

On commencing a new Register Book, the authorised person must insert, in the blank spaces on the title page, the names of the registered building, of the registration district, and of the county or counties.

It is most important that the ink used in registering marriages should be of a good black colour, and of permanent quality.

No entry in a Register Book should under any circumstances be commenced until after the marriage is legally complete.

6 & 7 W. 4,
c. 85, s. 28;
61 & 62 Vict.
c. 58, s. 7 (1).

All entries in a Register Book must be made strictly in progressive order according to the dates of registration; each entry being made in the space next following that in which the last entry was made. Under no circumstances whatever should any numbered space be left blank in a Register Book between the last entry made therein and the entry next to be made; and to guard against this the authorised person should, before commencing an entry on a new page, carefully note that the No. of the space in which he is about to register a marriage is the No. *immediately following* that in which the last entry was made.

All the particulars recorded in a Register Book of Marriages, except the signatures of the parties and witnesses, must be written by the authorised person. *No one else is authorised to make an entry in a Register Book of Marriages kept in pursuance of the Marriage Act, 1898, or to insert any of the particulars therein on behalf of the authorised person.*

The particulars which should be recorded in any one column of an entry should not be extended into an adjoining column.

All particulars recorded by the authorised person must be written *in full*; no abbreviations being allowed. Persons signing may, however, write their names in their usual manner.

The writing should be distinct and bold, and without flourishes. All Christian names and surnames, especially, should be written so distinctly in every letter that they may not be mistaken for any other Christian names or surnames.

On beginning to register a marriage, the blanks in the heading of the entry must be filled up so as to show the

registered name³ of the building, and the registration district and county in which it is situate, thus :—

"1899. Marriage solemnized at the Wesleyan Chapel, Vauxhall Walk, in the district of Lambeth, in the "county of London."

Column 1, headed "*When Married.*" In this column must be inserted, first, the day of the month in words, then the name of the month, and then the year in figures.

Column 2, headed "*Name and Surname.*" In this column the Christian name or names and the surname, first of the man married, and then of the woman, must be inserted.

If either of the parties has adopted or is commonly known by a Christian name or surname other than his or her true name or surname, both names or surnames should be recorded in the Register Book with the word "*otherwise*" between them, thus :—" *Wilson, otherwise Overton.*"

If the Christian name or surname of either of the parties, as ascertained at the time of marriage, does not precisely correspond with the name or surname as stated in the certificate issued for the marriage, the authorised person should endorse on the certificate the precise nature of the discrepancy and a brief statement of the explanation given by the parties, and should then insert the *correct* name or surname in the Register Book.

In the case of a divorced woman, her Christian name or names and surname must be entered thus :—" *Ann Meredith, formerly Brown (spinster)*" [or "*widow,*" as the case may be].

If the woman be one whose former husband has not been known by her to have been living during the last seven years, her last married surname must be inserted.

In a case of re-marriage, arising from whatever cause, the woman must be described in this column by her husband's surname, followed by the word "*formerly,*" and then by her maiden surname.

Column 3, headed "*Age.*" In this column the *precise* age of each of the parties at his or her last birthday must be inserted (in *figures*), whenever it can be ascertained.

Endeavour should always be made to ascertain the *precise* age by inquiry, instead of simply copying the age as stated in the certificate; as one of the parties may have passed another birthday since the notice was given.

When the *precise* age cannot be ascertained, the *approximate* age should be inserted, thus :—" *about 30*" [or as the case may be].

Column 4, headed "*Condition.*" In this column must be inserted "*Bachelor*" or "*Widower,*" and "*Spinster*" or "*Widow,*" as the case may be.

If, however, the man has been divorced, his condition must be entered in the following manner :—" *The divorced husband of Mary Robinson formerly Smith (spinster)*" [or "*widow*" as the case may be]. If the woman has been divorced, her condition must be inserted thus :—" *The divorced wife of Thomas Jones.*"

* The full description of the building as certified to the Registrar-General for the purposes of its enrolment on the Official List of Registered Buildings should always be used in marriage entries.

If either of the parties be one whose former wife or husband has not been known by him or her to have been living during the last seven years, such party must be described in this column as "*widower*" or "*widow*," as the case may be.

In a case of re-marriage, this column must be thus filled up:—
 "Previously married at _____ on the _____" [stating the place and time of marriage].

Column 5, headed "*Rank or Profession.*" In this column must be inserted the rank, profession, or occupation of the man, and also that of the woman if she have any which can be described.

Column 6, headed "*Residence at the time of Marriage.*" In this column the dwelling place of each of the parties at the time of marriage must be inserted. In *town districts* the No. of the house, the name of the street or place, and the name of the parish, town, or city; and in *country districts* the name of the house (if any), the name of the village or hamlet, and the name of the township or parish should be given.

If either of the parties have, since the notice was given, removed into another district, both places of residence should be inserted, thus:—"Late of _____, but now residing at _____" [as the case may be].

Column 7, headed "*Father's Name and Surname.*" In this column must be inserted the name or names and the surname of the father of each of the parties, whether he be living or not. If either of the fathers is deceased, the word "*(deceased)*" should be inserted below the name and surname of the deceased father.

Column 8, headed "*Rank or Profession of Father.*" In this column the rank, profession, or occupation of the father of each of the parties should be inserted.

Persons of illegitimate birth are sometimes unwilling or unable to state the name and the rank or profession of their fathers. If, on these particulars being asked for, there be any hesitation or reluctance to state them, no further inquiry need be made, and these two columns may be left blank.

The line below the columns of the entry commencing "*Married in the*" must if the marriage has been solemnized according to any religious rite or ceremony, be filled up thus:—

"Married in the Wesleyan Chapel, Vauxhall Walk, according to the rites and ceremonies of the Wesleyan Methodists, by certificate [or by Licence]."

When the religious ceremony has been performed by a minister who is not acting as the authorised person whose presence is required by the Act and by whom the marriage is to be registered, such minister may, if he wishes to do so, sign the register above the place in which the authorised person must sign.

When the marriage has been solemnized by an authorised person for the registered building in which the marriage has taken place, he must, after his signature and description, add the words "*for the said chapel*" (or whatever the building may be called).

When the marriage has been solemnized by an authorised person appointed for another registered building in the same district, he must, after his signature and description, add the name of the registered building for which he is authorised.

When a marriage takes place without a religious service the words "according to the rites and ceremonies of the" must be struck through with the pen.

The authorised person must now request the parties married, if they can read, carefully to examine the entry: if they cannot read, he must read it to them.

The parties married must then, if they can write, sign their names in their usual manner, on the lines following the words "*This Marriage was solemnized between us.*" The man must sign on the upper line. If the woman has not been previously married she must sign in her maiden surname, and if a widow, in her *previous* married surname.

The witnesses must, if they can write, sign their names in their usual manner on the lines following the words "*In the presence of us.*"

If either of the parties or witnesses is unable to write, the authorised person must request him or her to make a mark at the beginning of the line intended for his or her signature, and after such mark the words "*The mark of* _____" must be written, followed by the Christian name or names and the surname of the party or witness whose mark it is, written at full length.

If either of the parties or witnesses be a foreigner, the authorised person should endeavour to obtain a signature in English characters. But if such person be unable to sign in English characters, he should, if able to write, be requested to sign in his ordinary manner. The authorised person should then write below "*The signature of* _____," adding the full Christian name and surname as though a mark had been made.

The signatures or marks should in all cases be the unassisted productions of the parties and witnesses.

The authorised person must then carefully examine the entry.

All errors that are discovered must then be corrected.* If there be an error in the signature of any person, such person, *not* the authorised person, must correct it.

* See Example on p. 23.

In case any space or spaces should at any time have been inadvertently passed over in either of the Registers of Marriages, lines in ink should be drawn through such space or spaces, and similar lines should be drawn through an equal number of blank spaces in the Duplicate Book, in order that the numbers of subsequent entries in both books may for the future agree. Marginal notes should be inserted opposite the cancelled blank spaces, explaining the cause of their not having been used. Under no circumstances whatever should the printed numbers in either Register Book be altered.

When the Marriage Register Books of a registered building are filled, one of them must be delivered to the Superintendent Registrar of the district in which such registered building is situate at the same time as the certified copies containing the last entry in such Register Book are delivered to him; and the other register must be kept in the fireproof safe belonging to such registered building. 61 & 62 Vict.
c. 59, s. 11 (3).

As the duplicate registers approach completion, the authorised person should, *at least a fortnight before the last entry is likely to be reached*, apply to the Registrar-General for new books, using for that purpose the form of application which will be found in the books.

Every person who wilfully makes or causes to be made for the purpose of being inserted in any register of marriage, any false statement touching any of the particulars herein required to be known and registered, will be subject to the same pains and penalties as if he were guilty of *Perjury*. 6 & 7 W. 4.
c. 86, s. 41.

Every person who refuses, or without reasonable cause omits to register any marriage solemnized by him, or which he ought to register, is liable to a penalty not exceeding *fifty pounds*. 6 & 7 W. 4.
c. 86, s. 42.

6.—*Certificates and Licences to be Preserved.*

All certificates and licences delivered to an authorised person officiating in a registered building as authorities for marriages therein must be numbered with the numbers of the entries in the Register Book to which they relate, and must be preserved in the iron safe belonging to such registered building *until the end of each quarter, when they must be delivered to the Superintendent Registrar with the corresponding certified copies*. 61 & 62 Vict.
c. 58, s. 8.

7.—*Correction of Errors Discovered after the Completion of the Entry.*

An Error in a completed Entry of marriage may be corrected under the provisions of the 44th Section of the Registration Act, 1836, within one calendar month next after its 6 & 7 W. 4.
c. 86, s. 44.

discovery, by an authorised person who at the time is charged with the duty of registering marriages in the building wherein the marriage took place. *No error in an entry discovered subsequently to the marriage, may be corrected except as herein directed.*

Authorised persons should, in every case, require satisfactory documentary or other proof of an alleged error before deciding to make any correction under the provisions of the section above referred to; and when the alleged error affects the registered names or surnames of the parties married, or any other important fact in the entry, the authorised person should report the case fully to the Registrar-General and await instructions.

The original entry must not be altered in any way, but the correction must be made *by means of a marginal note* in which the nature of the error or errors and the truth of the matter must be specified; and this must be done by the authorised person, **in the presence of the parties married (if possible)**, but should they have left the neighbourhood or have died, the correction may then be made by him **in the presence of the Superintendent Registrar of the district and two credible witnesses**, one or both of whom should, if possible, have witnessed the marriage or should be personally cognizant of the facts involved in the correction.

If the correction be of some erroneous particular contained in the entry, a line in ink should be drawn thereunder; but if the correction be intended to supply an omission in the entry, the nature of such omission will be sufficiently indicated in the marginal note.

The marginal note must be dated, and must be signed by the authorised person, and by the persons (as above described) in whose presence it was made.*

The correction must in every respect be similarly carried out in both duplicate registers; and should one of them have been deposited with the Superintendent Registrar, arrangements should be made with him for the correction to be simultaneously carried out in both books by the authorised person.

If the certified copies, including the corrected entry, have not been made and delivered to the Superintendent Registrar, the marginal note must of course appear in the margin of the copy. But if the certified copies have been so delivered, then the authorised person must immediately after the correction make out on a separate entire sheet of the printed forms for certified copies a fresh copy of the corrected entry with its

* See Examples on pp. 23, 24.

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marginal note, which he must certify and then transmit by post to the Registrar-General.

Whoever forges or fraudulently alters any entry in any Register of Marriages, or in any certified copy thereof, is guilty of *Felony*. 24 & 25 Vict.
c. 58, s. 36.

8.—*Quarterly Returns of Certified Copies of Entries of Marriages.*

The authorised person for every registered building must, in the months of *April, July, October, and January* respectively, make and deliver to the Superintendent Registrar* of the District in which such registered building may be situate, a true copy, certified by him under his hand, of all the entries of marriages in his registers since the date of the last certified copy; and if there shall have been no marriage entered therein since that date, he must certify the fact under his hand on the form supplied by the Registrar-General for that purpose. 61 & 62 Vict.
c. 58, s. 11.

The 26th Section of the Act 1 Vict., c. 22, with which the Marriage Act, 1898, must be read, directs that the quarterly certified copies and nil returns shall in every case be made up and refer respectively to the last days of March, June, September, and December then next preceding.

The copies must be made on unmutilated leaves of the forms supplied by the Registrar-General for the purpose, which are on paper of a peculiar description, having a watermark as a safeguard against the substitution of false entries. The Superintendent Registrar cannot accept as a certified copy any copy which is not made on one of such entire official forms; and such forms must not be used for any other purpose than that for which they are supplied.

The authorised person must not include in his certified copies for any quarter entries which belong to another quarter. If any entries be included in the wrong quarter, the Superintendent Registrar will draw lines through them, and disallow payment for them; they must then be re-copied as part of the return for the quarter to which they belong.

The ink used in making certified copies should be of a good black colour, and of permanent quality.

On beginning to write on a leaf of the forms, the authorised person should begin on the side which has "*Commence on this side*" printed at the top of the page; and all notes and error numbers which are in the margin of the original entries should be written in the *right hand margin* of that page: on turning to the second side of the leaf, he should then insert in the *left*

* See p. 19.

hand margin of each page all the notes and numbers which are in the margin of the original entries.

It is essential that in the spaces provided for the purpose in the heading of *each* entry, the year, the name of the registered building, and the name of the registration district and county should be filled up in the certified copies.

The writing should be distinct and bold, and without flourishes. All Christian names and surnames, especially, should be written so distinctly in every letter that they may not be mistaken for any other Christian names or surnames.

The entries must be copied in the order in which they have been made in the Register Book, no spaces being left blank in the copies, except such as may have been left blank in the Register Book.

The authorised person must write in the copy the No. of the entry which is printed in the Register Book.

The copies must be literal transcripts of the entries in the Register Book, reproducing even the inaccuracies which occur in the originals. If any name appears to have been misspelt in the Register Book, it must be spelt the same way in the copy. Every obliteration and interlineation, with the number affixed thereto, and every marginal correction in the original entries, must be faithfully inserted in the copies. Signatures need not be imitated, but should be legibly and accurately copied.

At the foot of each page of the form for certified copies is the following certificate, to be signed by the authorised person, the words and figures in *italics* having been previously filled in, as the case may require:—

"I, *William Thompson*, the Authorised Person for the *Congregational Church, Harrow Road, in the County of London*, do hereby certify that the foregoing, comprising two Entries numbered *13, 14*, is a true Copy of the Entries so numbered, made in the *Marriage Register Books of the said Church*. Witness my hand this *first day of October, 1899*.

"*William Thompson.*"

It is also essential that the certificate at the foot of *every page* containing a copy of an entry should, after the requisite insertions, be so signed; inasmuch as without such signature the copy will not be a certified copy as required by law, nor can it be accepted as such by the Superintendent Registrar. It must be further observed that if any dated marginal note appears against any entry on a page, the date inserted in the certificate at the foot must not be earlier than the date in such marginal note.

Application for a fresh supply of certified copy forms should be made to the Registrar-General at least a fortnight before they are required for use,

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Every leaf of the certified copies should be delivered to the Superintendent Registrar entire, without having been torn or cut. The leaves should not be soiled, nor be creased by repeated folding, which may be avoided by delivering them folded in the same manner as that in which they are transmitted from the General Register Office.

The certificates and licences corresponding with the entries in the quarter's certified copies must be delivered to the Superintendent Registrar with the copies.

The delivery of quarterly certified copies to the Superintendent Registrar is usually made through the registrars of births and deaths in his district, in accordance with the statutory enactment that it shall be sufficient if such copies are given or delivered to some registrar under the supervision of the Superintendent Registrar. 1 Viet. c. 22, s. 29.

Registrars of births and deaths are instructed to apply personally for the said certified copies and nil returns once a quarter, namely—DURING THE FIRST FIFTEEN DAYS of January, April, July, and October; and previously to such applications they should make known by letter or postcard the day and hour when they will call. If the copies are not ready for delivery within the period above mentioned, the authorised person should forward his quarterly return of certified copies or nil return to the Superintendent Registrar by post, leaving the postage unpaid.

The Superintendent Registrar must pay or cause to be paid to the authorised person the sum of *shapence* for every entry contained in such quarterly certified copies duly delivered in accordance with the foregoing rules. If the copies are ready when the registrar calls for them he will pay for them at once; but if they are not then ready and are afterwards forwarded direct to the Superintendent Registrar the authorised person must apply to him for payment. 61 & 62 Viet. c. 58, s. 11 (2).

When the quarterly certified copies are received at the General Register Office, they will undergo careful examination, and should any error or omission, or any erasure be detected, or if the writing is not sufficiently legible, the authorised person will be required to supply the Registrar-General with a fresh copy without charge.

It may be useful to direct attention to certain clauses in the Registration Acts which impose penalties on persons who refuse or neglect to register marriages, or to make and deliver the certified copies and certificates required of them, or who shall carelessly lose or injure the registers or copies.

“ Every person who shall refuse, or without reasonable cause omit, to register any marriage solemnised by him or which he ought to register, and every person having the custody of any Register

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Book (of Marriages), or certified copy thereof or of any part thereof, who shall carelessly lose or injure the same, or carelessly allow the same to be injured whilst in his keeping, shall forfeit a sum not exceeding fifty pounds for every such offence." (6 & 7 Wm. IV., c. 86, s. 42.)

"Every person who, under the provisions of the said Acts for marriages, and for registering births, deaths, and marriages or either of them, as amended by this Act, is required to make and deliver to any Superintendent Registrar a certified copy of the entries of any births, deaths, or marriages registered by him, or the certificate required by the said Acts, as amended by this Act, that there have been no entries since the last certificate, and who, after being duly required to deliver such certified copy or such certificate as aforesaid, shall *refuse*, or during one calendar month *neglect* so to do, shall be liable for every such offence to *forfeit* a sum not exceeding *ten pounds*, to be recovered as other penalties for offences against the said Acts are made recoverable: Provided always that in such case a moiety of the penalty shall not go to the informer, but the whole shall go to the Registrar-General, or such other person as the Commissioners of the Treasury shall appoint, for the use of her Majesty." (1 Vict., c. 22, s. 28.)

"If any authorised person refuses or fails to comply with this Act, or the enactments or regulations for the time being in force with respect to the solemnization and registration of marriages, he shall be guilty of an offence under this Act, and shall be liable on summary conviction, to a *penalty* not exceeding *ten pounds*, or on conviction on indictment to *imprisonment with or without hard labour for a term not exceeding two years*, or to a *fine* not exceeding *fifty pounds*, and shall upon conviction cease to be an authorised person." (61 & 62 Vict., c. 58, s. 12.)

9.—*Searches and Certificates.*

c. 86, s. 35,
61 & 62 Vict.
c. 58, s. 7 (5).

Every authorised person must "at all reasonable times" allow searches to be made in any Register Book in his keeping, and give a copy certified under his hand of any entry therein, on payment of the following fees:—

For every *Search* extending over a period of not more than one year—*one shilling*.

For every additional year—*sixpence*.

For every *certified copy* of an entry—*two shillings and sixpence*.

All searches must be made by the authorised person himself, or in his presence. He must prevent any injury to the Register Books, or any alteration of any part of an entry therein.

All such certified copies must be written on forms procured by the authorised person at his own expense, or on plain paper—not upon any official forms supplied by the Registrar-General.

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Under the provisions of the Stamp Act, 1891, a "Copy or extract (certified) of or from any Register of Births, Baptisms, Marriages, Deaths, or Burials," must bear a stamp of *one penny*; and by Section 64 of that Act it is enacted that—

54 & 55 Vict.
c. 39.

"The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed, before he delivers the same out of his hands, custody, or power."

But certified copies of registers of marriages transmitted by authorised persons to the Registrar-General are exempt from this duty.

Under the provisions of Section 10 of the Savings Bank Act, 1887 (50 & 51 Vict., c. 40), authorised persons are liable to be applied to for marriage certificates at the reduced fee of one shilling. The following is the Section referred to:—

"For the purpose of the Acts relating to Post Office Savings Banks or to Trustee Savings Banks and of the Government Annuities Acts, 1829 to 1882, a certificate of the marriage of any depositor, or of any person insured under any of the above-mentioned Acts, shall be given under his hand by a registrar of marriages, or other person having the care of the Register in which such marriage is entered for a sum not exceeding one shilling in place of all fees or payments in respect of the same, on application being made for the same in such form and under such regulations as may be from time to time approved of by the Registrar-General of births, deaths, and marriages"

Application under the above section must, in order to be entertained, be made on the form* approved by the Registrar-General for the purpose. The forms are of two kinds, viz., Form No. 4 for the purpose of the Post Office Savings Banks, and Form No. 4 for the purpose of Trustee Savings Banks. Each form bears the *fac-simile* of the Registrar-General's signature. If the application is made otherwise than personally it must, with the fee of one shilling, be conveyed to the authorised person for the registered building where the marriage was solemnized, free of all cost to him; and an envelope or cover of the proper size must be sent, fully addressed, to the person to whom this document is to be returned. If it is to be returned by post—the case being one relating to a Trustee Savings Bank—the necessary postage stamps must be affixed by the applicant to such envelope or cover. In the case of Post Office applications the postage will be free.

* For these forms application must be made to The Controller, Savings Bank Department, General Post Office, London: they are not obtainable at Local Post Offices. In the case of Trustee Savings Banks, the approved forms may be obtained from Messrs. Knight & Co., 4, La Belle Sauvage, Ludgate Hill, London, E.C.

10.—*Supply of Books and Forms.*

Authorised persons, upon applying to the Registrar-General, may obtain *gratuitously*, from time to time, any of the following books or forms, namely:—

Marriage Register Books (in duplicate).

Forms for the Quarterly Returns of Certified Copies of Marriages.

Forms for Certificates of No Registry.

But forms for *marriage certificates to be issued by authorised persons to the public*, are not supplied by the Registrar-General.

All official communications should be addressed to “**The Registrar-General, General Register Office, Somerset House, London, W.C.,**” and the postage should be left unpaid.”

Brydges P. Henniker,
Registrar-General.

General Register Office,
Somerset House,
21st February, 1899.

The Local Government Board hereby approve the making of the foregoing rules by the Registrar-General.

Given under our seal of office, this 22nd day of February,
in the year 1899.

Henry Chaplin,
President.
(L.S.)

S. B. Provis,
Secretary.

Examples showing how Errors in a Register of Marriages kept by an Authorised Person should be Corrected.

Errors discovered before an Entry has been completed.

1899. Marriage solemnized at the <i>Wesleyan Chapel, Union Street</i> , in the District of <i>Maidstone</i> , in the County of <i>Kent</i> .								
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
4	<i>Tenth December, 1899.</i>	<i>William Pettit</i>	30 years	Bachelor	<i>Corn Merchant</i>	<i>47, High Street, Maidstone</i>	<i>George Pettit</i>	<i>Silk Merchant.</i>
		<i>Maria Longstaff</i>	20 years	Spinster	—	<i>2, Market Street, Maidstone</i>	<i>Henry Longstaff</i>	<i>Miller.</i>
<div>Married in the <i>Wesleyan Chapel</i>, according to the Rites and Ceremonies of the <i>Wesleyans</i>, by Licence.</div> <div>This Marriage, { <i>William Pettit</i> } was solemnized { in the { <i>Jas. Richardson</i> } between us, { Presence of { And in the { { <i>Maria Longstaff</i> } of us, { Presence of { <i>SAMUEL BATES</i>, </div>								

One
S. R.
Two
S. R.

Examples of Corrections of Errors in completed Marriage Entries.

1. (a) Discrepancy between Col. 3 and the Signature of the Man and (b) Omission of the Condition of the Woman.

1899. Marriage solemnized at <i>Treor Chapel</i> , in the District of <i>St. George, Hanover Square</i> , in the County of <i>London</i> .								
Col.	1.	2.	3.	4.	5.	6.	7.	8.
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
13	<i>20th July, 1899</i>	<i>Lionel Brandon</i> <i>Hetty Maud Grindley</i>	47 years 23 years	Widower	Civil Engineer	<i>Charing Cross Hotel, Strand</i> <i>75, Cork Street, W.</i>	<i>Edward Brandon (deceased)</i> <i>Thomas Grindley</i>	<i>Merchant.</i> <i>Solicitor.</i>
Married in the <i>Treor Chapel</i> , according to the Rites and Ceremonies of the <i>Independents</i> , by Licence.								
This Marriage { <i>L. H. Brandon</i> } was solemnized { in the { <i>James Brandon</i> } between us, { Presence of us, { <i>Thomas Grindley</i> } { <i>H. M. Grindley</i> } of { Presence of { And in the { 								

(continued on next page.)

In Entry No. 13, Col. 3, for "*Lionel Brandon*" read "*Lionel Harry Brandon*," and in Col. 4 after "*Widower*" read "*Spinster*," Corrected on the 16th August, 1899, by me,

Edward Young,
 Authorised Person for
Treor Chapel.

In the presence of
L. H. Brandon, } The Parties
H. M. Brandon, } Married.

Examples of Corrections of Errors in completed Marriage Entries—continued

2. Error in Surname of the Man and of his Father and in the Man's Signature discovered by Birth Certificate. The Parties Married having left the neighbourhood the Correction is made by the Authorised person in the presence of the Superintendent Registrar and two Witnesses, one of whom was the Man's Brother, the other having been present at the Marriage.

1899. Marriage solemnised at <i>West Croxson Baptist Chapel</i> , in the District of <i>Croxson</i> , in the County of <i>Surrey</i> .									
Col.	1.	2.	3.	4.	5.	6.	7.	8.	
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.	
5	<i>Seventeenth June, 1899</i>	<i>Henry Harter</i> <i>Margaret Dawson</i>	37 years 39 years	<i>Bachelor</i> <i>Widow</i>	<i>Builder</i> —	<i>Epson Road, Croxson</i> <i>Holmeswood, Dorking</i>	<i>Charles Harter (deceased)</i> <i>James Martin</i>	<i>Timber Merchant.</i> <i>Farmer</i>	

Married in the *West Croxson Baptist Chapel*, according to the Rites and Ceremonies of the *Baptists*, by *Certificate*.

This Marriage { *Henry Harter* } In the { *W. J. Thompson* } { And in the }
was solemnised { *Marg. Dawson* } Presence { of us, { *James Ward* }
between us, { } of { } Authorised Person for the said chapel.

3. The Man, of Illegitimate Birth, having been married in his reputed Name—that of his Putative Father—afterwards wished to have his Maternal Surname inserted in the Entry.

1899. Marriage solemnised at <i>St. Anthony's Church, Scotland Road</i> , in the District of <i>Liverpool</i> , in the County of <i>Liverpool</i> .									
Col.	1.	2.	3.	4.	5.	6.	7.	8.	
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.	
16	<i>Seventeenth September, 1899</i>	<i>Richard Wilson</i> <i>Emma Murray</i>	41 years 35 years	<i>Bachelor</i> <i>Widow</i>	<i>Of independent means</i> <i>Typewriter</i>	<i>22, Clayton Street, Liverpool</i> <i>90, Vetchhall Road, Liverpool.</i>	— <i>James Dawson</i>	— <i>Railway Guard</i>	

Married in *St. Anthony's Church*, according to the Rites and Ceremonies of the *Roman Catholics*, by *Certificate*.

This Marriage { *Richard Wilson* } In the { *W. J. Thompson* } { And in the }
was solemnised { *Emma Murray* } Presence { of us, { *William Sullivan* }
between us, { } of { } Authorised Person for *St. Augustine's Church*.

In Entry No. 5, Col. 2 and 7, and in the Man's Signature, for "*Harter*" read "*Har-*
court." Corrected on the 5th December 1899, by me,
James Ward,
Authorised Person for the
West Croxson Baptist
Chapel.

In the presence of
Robert Dason,
Superintendent Registrar.
Robert Martin. } Witnesses.
Thomas Harcourt. }

In Entry No. 16, Col. 2, for "*Wilson*" read "*Hamley,*
otherwise *Wilson.*" Corrected
on the 16th November, 1899, by
me,
P. C. Felling,
Authorised Person for
St. Anthony's Church.

In the presence of
Richard Hamley } The Parties.
Emma Hamley } Married.

The Prohibited Degrees of Kindred and Affinity.

A man may not marry his

1. Grandmother.
2. Grandfather's Wife.
3. Wife's Grandmother.
4. Father's Sister. } (*Aunt by blood.*)
5. Mother's Sister. }
6. Father's Brother's Wife. } (*Aunt by affinity.*)
7. Mother's Brother's Wife. }
8. Wife's Father's Sister. } (*Wife's aunt.*)
9. Wife's Mother's Sister. }
10. Mother.
11. Stepmother.
12. Wife's Mother. (*Mother-in-law.*)
13. Daughter.
14. Wife's Daughter. (*Step-daughter.*)
15. Son's Wife. (*Daughter-in-law.*)
16. Sister.
17. Wife's Sister. } (*Sister-in-law.*)
18. Brother's Wife. }
19. Son's Daughter. } (*Grand-daughter.*)
20. Daughter's Daughter. } (*Son's daughter-in-law.*)
21. Son's Son's Wife. } (*Daughter's daughter-in-law.*)
22. Daughter's Son's Wife. } (*Step-son's daughter.*)
23. Wife's Son's Daughter. } (*Step-daughter's daughter.*)
24. Wife's Daughter's Daughter. }
25. Brother's Daughter. } (*Niece.*)
26. Sister's Daughter. }
27. Brother's Son's Wife. } (*Nephew's wife.*)
28. Sister's Son's Wife. }
29. Wife's Brother's Daughter. } (*Wife's niece.*)
30. Wife's Sister's Daughter. }

A woman may not marry her

1. Grandfather.
2. Grandmother's Husband.
3. Husband's Grandfather.
4. Father's Brother. } (*Uncle by blood.*)
5. Mother's Brother. }
6. Father's Sister's Husband. } (*Uncle by affinity.*)
7. Mother's Sister's Husband. }
8. Husband's Father's Brother. } (*Husband's uncle.*)
9. Husband's Mother's Brother. }
10. Father.
11. Stepfather.
12. Husband's Father. (*Father-in-law.*)
13. Son.
14. Husband's Son. (*Step-son.*)
15. Daughter's Husband. (*Son-in-law.*)
16. Brother.
17. Husband's Brother. } (*Brother-in-law.*)
18. Sister's Husband. }
19. Son's Son. } (*Grandson.*)
20. Daughter's Son. }
21. Son's Daughter's Husband. } (*Son's son-in-law.*)
22. Daughter's Daughter's Husband. } (*Daughter's son-in-law.*)
23. Husband's Son's Son. } (*Stepson's son.*)
24. Husband's Daughter's Son. } (*Step-daughter's son.*)
25. Brother's Son. } (*Nephew.*)
26. Sister's Son. }
27. Brother's Daughter's Husband. } (*Niece's husband.*)
28. Sister's Daughter's Husband. }
29. Husband's Brother's Son. } (*Husband's nephew.*)
30. Husband's Sister's Son. }

1. The prohibited degrees include all persons related in lineal consanguinity, whether in the ascending or descending line.

2. Half-blood relationship has the same effect as relationship of the whole blood.

3. As consanguinity and affinity are contracted "as well by unlawful company of man and woman as by lawful Marriage," it matters not whether the Parties are related or connected through lawful Wedlock or otherwise,—they are equally restricted from intermarriage within the prohibited degrees.

4. The kindred of the husband are not of affinity to the kindred of the wife; and therefore a man may marry his Brother's Wife's Sister, that is two brothers may marry two sisters; so also a man born of his father's first wife may marry his Father's second Wife's Daughter by a former husband, that is, a father and his son may marry a mother and her daughter.

5. Consanguinity bars marriage to the third degree inclusive collaterally, according to the mode of computation adopted by the civil law, which is the basis of the rule in England. The marriages of relations in the fourth degree (as first cousins), and any subsequent degree, are lawful by the statute of 32 Hen. 8. (*Hammick's Marriage Law of England*, 2nd Edition, pp. 37-38.)

RULES AND REGULATIONS UNDER THE MARRIAGE ACT, 1898 (61 AND 62 VICT. CAP. 58), FOR THE GUIDANCE OF REGISTRATION OFFICERS. MADE BY THE REGISTRAR-GENERAL FEBRUARY 21, 1899, AND APPROVED BY THE LOCAL GOVERNMENT BOARD, FEBRUARY 22, 1899.

1899. No. 78

1.—Effect of the Act.

This Act, which received the Royal Assent on 12th August 1898 and comes into operation on 1st April 1899, amends the law relating to the attendance of Registrars of Marriages at Nonconformist registered buildings, by legalising the solemnization of marriages in such buildings in the presence of an authorised person, and *without the presence of a Registrar.*

No alteration whatever is made in the requirements of the Registration Acts 1836 to 1856 and of the Regulations for Superintendent Registrars and Registrars of Marriages, as to the giving of Notices of Marriage by the Parties and their due attestation by a qualified Registration Officer, or as to the issue of Certificates and Licences by Superintendent Registrars, except as hereinafter stated with respect to Marriages under the Act of 1898.

61 & 62 Vict.
c. 58, s. 5 (1).

For marriage in register offices or in registered buildings in the presence of a Registrar of Marriages the procedure remains absolutely unaltered in all respects.

It is now, however, enacted that—

“Whenever a marriage is intended to be solemnized in a registered building, and the parties intending to contract the marriage have duly fulfilled all the conditions from time to time required by law to entitle the Superintendent Registrar to issue a certificate, or certificate and licence, authorising the marriage, *and the Superintendent Registrar does not receive notice at the time when the form of notice of marriage as required by law is given to him, that the parties intending to contract the marriage require a Registrar to be present at the marriage, the Superintendent Registrar shall, subject to the provisions of this Act, issue under his hand to one of those parties a certificate, or certificate and licence, as the case may require, in accordance with the forms set forth in Schedules B. and C. annexed to the Marriages Act, 1856.*”

19 & 20 Vict.,
c. 119.

61 & 62 Vict.,
c. 58, s. 10.

Should the contracting parties give notice to the Superintendent Registrar that it is their wish to be married in the presence of a Registrar of Marriages, it is expressly declared that “nothing in this Act contained shall relieve the Registrar from attendance at such marriage as now by law required and the fulfilment of the duties now imposed by law;” and in case of such attendance the Registrar will be entitled to the fees now authorised by law.

If a Registrar of Marriages should be required to attend a marriage in a building for which an authorised person has been appointed, such **marriage must not be recorded in the registers supplied to such authorised person**, but the registrar of marriages must register it in his own Register Book, in accordance with his regulations.

2.—*Notices of Marriage in a Registered Building for which an Authorised Person has been Appointed.*

In consequence of the foregoing provisions it will be necessary on and after the 1st April, 1899, that Registrars and Superintendent Registrars when attesting notices of marriage should most carefully ascertain from the parties giving notice for marriage in a registered building for which an authorised person has been appointed, whether it is desired that such marriage shall be registered by an authorised person, or whether they wish a Registrar of Marriages to attend and register the marriage.

No pressure whatever must be used to induce parties giving notice of marriage to adopt either one method of procedure or the other; they must be left to make their own unbiassed selection.

The important point for the registration officers to bear in mind is that unless there is **a specific request** made for the attendance of a Registrar of Marriages in a registered building for which an authorised person has been appointed, it must always be taken for granted that the marriage is to be solemnized under the new Act in the presence of an authorised person.

New forms of notices of marriage have been prepared for the use of Superintendent Registrars under the new alternative conditions already indicated; and Superintendent Registrars must take care that all registration officers within their districts who are in the habit of attesting notices of marriage are duly furnished with these new notice forms, which are for all purposes to supersede the forms previously in use.

The new forms provide for the **special request** or "notice" to be used only in cases where the attendance of a Registrar of Marriages is required in a registered building for which an authorised person has been appointed; if in such cases the special "notice" is not filled up and signed by the party giving the notice of marriage, the Superintendent Registrar who receives such notice must assume that the marriage is to be solemnized in the presence of an authorised person.

When a registration officer is required to take a notice for a marriage in a registered building for which no authorised person has been appointed, he must, if necessary, explain to

the applicant that the presence of a Registrar of Marriages will be indispensable; and in such case the "special request" on the notice form need not be filled up.

When the attendance of a Registrar of Marriages is specially requested at a marriage in a registered building for which an authorised person has been appointed, the registrar should require the parties to satisfy him that the minister, trustees, owners, deacons, or managers of the building, will not object to the use of the building under those conditions, forasmuch as no marriage can take place therein without the consent of the minister thereof.

19 & 20 Vict.
c. 118, s. 11.

On receiving a notice of marriage containing a special request for the attendance of a Registrar of Marriages at a building for which an authorised person has been appointed, the Superintendent Registrar should, when entering such notice in his Marriage Notice Book, record in the margin of the entry a note that a Registrar of Marriages is to attend.

3.—*Authorised Persons.*

Before entering in his notice book any notice of marriage to be solemnized in the presence of an authorised person the Superintendent Registrar should consult his list of registered buildings and authorised persons for the purpose of satisfying himself whether the building named is one for which there is an authorised person, and can therefore be legally used for a marriage without the presence of a Registrar. In cases of doubt the superintendent registrar must apply to the Registrar-General, accepting the notice conditionally meanwhile; if the registered building should prove not to be available, under the Act, a fresh notice would be required.

61 & 62 Vict.
c. 58, ss. 6 (3)
& 7 (3).

No marriage can take place under the Marriage Act, 1898, in any registered building, except in the presence of a person who has been duly certified to the Registrar-General as having been duly authorised for the purpose by the trustees, or governing body of that registered building, or of some other registered building sanctioned for use under the Act in the same registration district; nor until duplicate marriage registers have been supplied by the Registrar-General.

61 & 62 Vict.
c. 58, s. 6 (4).

When it is desired to certify to the Registrar-General the appointment of an authorised person to act for any registered building, the trustees or governing body thereof must apply to the Registrar-General for the proper forms to be used for that purpose. These appointment forms will be issued *in triplicate*; the information as to the name and postal address of the person proposed must be filled up on each of the forms, which must then be signed by the trustees or governing body and be forwarded *within a week* to the Registrar-General, who will send one to the Superintendent Registrar and one to

the authorised person, the remaining form being filed in the General Register Office.

Should the trustees or governing body appoint more than one authorised person for the same building, they must, when sending such appointment to the Registrar-General, notify which of such authorised persons is to be held responsible for carrying out the provisions of Section 11 of the Marriage Act, 1898, and for discharging the other duties contingent thereon.

Superintendent Registrars will be supplied by the Registrar-General with new books, in which all the registered buildings in their respective districts will be entered up to the date of issue; and as regards such registered buildings as may be sanctioned by the Registrar-General for use under the Marriage Act, 1898, the Superintendent Registrar must from time to time, in accordance with instructions which he will hereafter receive, record the name and address of the authorised person or persons certified for such building.

Superintendent Registrars must keep all Registrars of Marriages and all other registration officers who attest marriage notices in their respective districts fully and promptly informed as to the registered buildings for which authorised persons have been appointed.

A person duly authorised to act for one registered building in a registration district, may officiate at any other sanctioned registered building *within the same district*, but he cannot act in a registered building which is situate in another registration district.

Whenever an authorised person changes his address his new address should be at once communicated to the Registrar-General and to the Superintendent Registrar of the district in which the building for which he is authorised is situated.

On the death, retirement, removal to another district, or deposition from office of any authorised person, the trustees or governing body must **at once** inform the Registrar-General, in order that forms may be sent for the appointment of a successor; and they must at the same time state what arrangements will be made for marriages in the building pending the new appointment. The trustees or governing body will be held responsible for the safe custody of the Registers and for compliance with the Act in all respects whilst a vacancy exists.

No authorised person must act until his appointment has been received and acknowledged by the Registrar-General.

61 & 62 Vict.
c. 58, s. 5 (2).

4.--*Certificates for Marriage.*

Exclusively for the purposes of the new Act, *Special Forms of Certificates for Marriage without and with Licence* have been prepared for the use of Superintendent Registrars, and whenever a marriage is to take place in a registered building in the presence of an authorised person, one of these new certificate forms must be used, as it bears upon it the "printed instructions for the due solemnization of the marriage" required by the Statute. Those instructions are as follow:—

- (1.) This Marriage must take place in the Registered Building named in the Certificate on the other side hereof.
- (2.) No other Registered Building may be used for this Marriage.
- (3.) The Authorised Person for the Registered Building named in this Certificate, or an Authorised Person for some other Registered Building in the same Registration District, must be present at the Marriage.
- (4.) At least *two* Witnesses must also be present.
- (5.) The Certificate (or Certificates) issued by the Superintendent Registrar as the Legal Authority for the Marriage, must be delivered to the Authorised Person in whose presence the Marriage is to be solemnized. *Unless this document (or these documents) be in his possession the Authorised Person must on no account allow the Marriage to take place.*
- (6.) It is absolutely essential to the validity of the Marriage that in some part of the Ceremony each of the Parties shall make the following declaration:—"I do solemnly declare that I know not of any lawful impediment why I, A. B., may not be joined in matrimony to C. D.," and that each shall say to the other, "I call upon these persons here present to witness that I, A. B., do take thee, C. D., to be my lawful wedded wife (or husband),"—or in lieu thereof shall say, "I, A. B., do take thee, C. D., to be my wedded wife (or husband)."
- (7.) These declaratory and contracting words must be said in the presence of the Authorised Person acting on the occasion, and of the Witnesses to the Marriage.
- (8.) Immediately after the Marriage is solemnized the Authorised Person must register it in the Duplicate Register Books of the Registered Building in which the Marriage has taken place; and the Entry in *both Books* must be signed by the Parties married, by at least two Witnesses, and by the Authorised Person.
- (9.) After the Registration of the Marriage, a Certified Copy of the Entry thereof may be obtained from the Authorised Person for 2s. 7d., provided application be made for it at the time of Marriage; if applied for subsequently the fee for the Certificate would be 3s. 7d.

For the purposes of Marriage in Register Offices, or in Registered Buildings, when a Registrar of Marriages, is to be present, the old Forms of Certificate are retained and must be used.

The new certificate forms are of larger size than the old ones.

5.—*Compensation Fees to Registrars of Marriages.*

Compensation for Registrars of Marriages who are deprived of their marriage attendance and registration fees by the new Act, is temporarily provided for by the following Clause:—

“On the issue of any Certificate for a Marriage to be solemnized in accordance with this Act, the Parties to the Marriage shall pay to the Superintendent Registrar of the District in which the Registered Building selected for the Marriage is situate, an *Additional Fee* of Six Shillings and Sixpence if the Marriage is by Licence, and otherwise a Fee of Four Shillings. Provided that not more than one such Fee shall be paid in respect of any one Marriage.” 61 & 62 Vict.
c. 58, s. 17 (3).

These *Additional Fees* are irrespective of the fees payable for the notice of marriage and for the certificate or licence under the preceding Marriage Acts: *they are to be collected only during Ten years from 1st April, 1899, and not in any District where there is no Registrar of Marriages who was appointed before 12th August, 1898.* 61 & 62 Vict.
c. 58, s. 17 (3).

When the Act comes into operation and thenceforward during the ten years, there will be a certain and increasing number of districts in which there will be no Registrar of Marriages whose appointment dates prior to 12th August, 1898. *In such Districts no Additional Fees can be claimed, and Superintendent Registrars must be careful not to take them.*

The obligation imposed upon the parties to a marriage under this statute, in regard to the payment of these *Additional Fees*, should be duly explained whenever a Notice of Marriage is taken. This fee must always go to the Superintendent Registrar of the District in which the Registered Building is situate, and when that happens to be a district in which neither of the parties resides, as in Marriages in the Usual Place of Worship (19 & 20 Vict. cap. 119, s. 14), or under 3 & 4 Vict. cap. 72—they must be instructed by the Superintendent Registrar who issues the certificate, that the *Additional Fee* must be paid by them either personally or by postal order, or as may be otherwise convenient, to the Superintendent Registrar of the District in which they are to be married.

At the end of each quarter, Superintendent Registrars who have received the *Additional Fees* before-mentioned must distribute them according to the following Rules:— 61 & 62 Vict.
c. 58, s. 17 (2).

1. In districts where there is only one Registrar of Marriages who was in office before 12th August, 1898, such Registrar will be entitled to receive all the *Additional Fees* received by his Superintendent Registrar during the quarter.
2. In districts where there are two or more Registrars of Marriages who are entitled to participate in the *Additional Fees*, such fees shall, except in cases

provided for in Rule 3, be distributed on the basis of the proportional number of marriages attended by each of the Registrars concerned during the year 1897. Superintendent Registrars must, when they forward their accounts at the close of each quarter, submit their proposals for the distribution of fees for the Registrar-General's approval before any distribution takes place.

3. In districts where the distribution of marriages amongst the several Registrars during the year 1897 was not, in the opinion of the Registrar-General, fair and equitable as required by the Regulations for Superintendent Registrars, he reserves to himself the right to direct the fees to be divided upon such basis as he may consider equitable.

6. — *Quarterly Certified Copies.*

61 & 62 Vict.
s. 58, c. 11.

As regards the obligation to furnish quarterly certified copies of all entries of marriages registered by them, and to deposit with the Superintendent Registrar one copy of every filled Register Book, authorised persons are placed on exactly the same footing as clergymen of the Church of England; as is also the case with regard to the manner in which the certified copies are to be collected and paid for.

61 & 62 Vict.
c. 58, s. 16.

Full instructions as to the preparation and delivery of their quarterly certified copies are given to authorised persons in the Official Regulations supplied to them by the Registrar-General under the Marriage Act, 1898—which correspond with those issued to Registrars of Marriages as nearly as circumstances admit.

1 Vict. c. 23,
s. 29.
61 & 62 Vict.
c. 58, s. 11 (4).

The authorised person is instructed that the Registrar of Births and Deaths will call for the certified copies every quarter, on dates to be previously announced by letter or postcard; and that when the copies are so called for the authorised person will be entitled to receive payment for the same in accordance with the following Clause in the Marriage Act, 1898:—

61 & 62 Vict.
c. 58, s. 11 (2).

“The Superintendent Registrar shall pay or cause to be paid to the Authorised Person the Sum of *Sixpence* for every Entry contained in the said Certified Copy, and this sum shall be reimbursed to the Superintendent Registrar by the Board of Guardians for the Union for which he is appointed.”

Superintendent Registrars must, therefore, instruct the Registrars of Births and Deaths to call for the copies every quarter, and to make this statutory payment of *Sixpence* per entry to authorised persons at the time the copies are collected, just in the same manner as is done in the case of copies collected from clergymen. If the copies are not ready for delivery when called for, the authorised person is directed to forward them himself to the Superintendent Registrar and to obtain payment from him direct.

Superintendent Registrars must from time to time supply their Registrars of Births and Deaths with correct lists of the names and addresses of all authorised persons from whom certified copies have to be collected.

The Registrar having collected from authorised persons such certified copies or nil returns as can be obtained, *and also the Certificates and Licences corresponding with the entries in the quarter's copies*, must on or before the 20th of the month in which he applied for the same, deliver them to the Superintendent Registrar.

The Superintendent Registrar on receiving the copies must carefully examine them and see—

1. That they are made on unmutilated leaves of the Forms supplied by the Registrar-General for the use of Authorised Persons, and not upon any other Forms ;
2. That they purport to be copies of Entries of Marriages made in accordance with Schedule (C.) of the Registration Act, 1836 ;
3. That Entries belonging to different Quarters have not been copied on one and the same leaf ;
4. That each Entry is duly numbered ;
5. That the No. of the first Entry in each Return follows the No. of the last Entry of the previous Return in consecutive order ;
6. That the Nos. of the Entries in each Return are in consecutive order,—the Entries having been copied in the same order in which they were made in the Register Book ;
7. That no spaces have been left blank in the copies, except such as appear to have been left blank also in the Register Book ;
8. *That the blank spaces in the Heading of each Entry have been filled up, and not merely those in the Heading of the first Entry on each page ;*
[The Superintendent Registrar must insert the name of his District in the first line of the Heading.]
9. *That the name of the Registered Building in the Entries agrees with that given in the Registrar-General's Official List.*
10. *That each Entry of a Marriage has been signed by the authorised person in whose presence the Marriage was solemnized, and by the parties and two witnesses ;*
11. *That the Certificate at the foot of each page has been duly filled up and signed by an authorised person for the registered building to which the copies relate.*
12. That the Certificates and Licences corresponding with the Entries in the certified copies are all enclosed with the copies.

If through an interruption in the consecutive order of the numbers, an entry appears to have been omitted, the Superintendent Registrar must forthwith, either through the Registrar or by letter, apply for such entry, or for an explanation of the apparent omission.

On discovering any of the above-mentioned defects or irregularities the Superintendent Registrar should endeavour to obtain their rectification forthwith by the authorised person who certified the copies.

The Superintendent Registrar must insert the number of the last entry in the return of the copies from each authorised person in the book in which he similarly enters the last numbers received from the clergy.

As regards the transmission of the quarterly copies to the Registrar-General, the Superintendent Registrar must follow the same rules as to dates of transmission as are prescribed in his regulations in respect of the other returns to be forwarded by him.

With the certified copies of entries and nil returns must be sent also the certificates and licences for marriage corresponding with the entries.

The Superintendent Registrar must at the same time report to the Registrar-General—

1. Every case in which a return of certified copies or nil return has not been received from any authorised person within his district.
2. The No. of any entry which appears by the interruption of the series of entries in any authorised person's copies to have been omitted from the return.

The certified copies and other documents received from authorised persons must be sent by post to the Registrar-General in one of the brown paper covers marked "M" which are used for other quarterly marriage returns. Returns from authorised persons should not be sent in the same cover with the other marriage returns.

The Superintendent Registrar must include in his quarterly account of fees for entries a charge of *Two Pence* for every entry contained in the return of certified copies received from authorised persons in his district.

Registrars of births and deaths must include in their quarterly claims for allowances and expenses the sum of *One Shilling* for collecting the certified copies or nil returns from authorised persons, just as in the case of clergymen of the Church of England. The names of the registered buildings to which the returns belong must be specified in the claim.

7.—*Filled Register Books.*

61 & 62 Vict.
c. 58, s. 11 (3).

Whenever the duplicate Register Books kept by an authorised person are filled, one copy thereof must be delivered to the Superintendent Registrar of the district in which the registered building is situate, at the same time as the certified copies containing the last entry in such book are delivered. If any such filled Register Book be not delivered within a reasonable time the Superintendent Registrar must apply for it.

On receipt of a Register Book the Superintendent Registrar must carefully examine it, and if it be not in all respects

complete and in good condition, he should at once report the matter to the Registrar-General.

The filled books as they are received must be numbered consecutively in a *separate series for each registered building*.

Every Register Book received from an authorised person must be promptly indexed, and the Superintendent Registrar will be entitled to receive from the Registrar-General the sum of *Seven Shillings* for each index completely made.

8.—*Searches and Certificates.*

Superintendent Registrars must allow searches to be made in indexes to Marriage Registers received from authorised persons, and must give certified copies of such registers precisely upon the same conditions as are prescribed in their regulations with reference to other Indexes and Registers in their custody.

Brydges P. Henniker,
Registrar-General.

General Register Office,
Somerset House,
21st February, 1899.

The Local Government Board hereby approve the making of the foregoing rules by the Registrar-General.

Given under our seal of office, this 22nd day of February
in the year 1899.

Henry Chaplin
President.

S. B. Provis,
Secretary.

(L.S.)

3. Of British Subjects Abroad.

"THE FOREIGN MARRIAGES ORDER IN COUNCIL, 1892."*

At the Court at Balmoral, the 28th day of October, 1892.

PRESENT :

The Queen's Most Excellent Majesty.

Lord Steward.

Mr. Secretary Campbell-Bannerman.

Sir Henry Ponsonby.

Whereas by the Foreign Marriage Act, 1892† (in this Order referred to as the Foreign Marriage Act), certain enactments relating to the marriage of British subjects outside the United Kingdom are consolidated, and Her Majesty the Queen in Council is authorised to make Regulations for the purposes therein specified ;

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred by the said Act or otherwise enabling Her in this behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows :—

Embassy Marriages.

1. The person before and by whom a marriage under the Foreign Marriage Act may be solemnized and registered in an embassy house in a foreign country shall either be the ambassador, or the officer for the time being performing the duties of the ambassador, or be any of the secretaries attached to the embassy from time to time appointed for the purpose in writing by the ambassador or by the officer performing his duties ; and for the purpose of marriages solemnized in such embassy house, such ambassador, officer performing his duties, or secretary shall, without any marriage warrant, be a marriage officer.

2. For the purpose of the Foreign Marriage Act and these Regulations, the house in which a British ambassador resides in the foreign country to the Government of which he is accredited, or which is occupied by him in that country for the purposes of his embassy, shall be deemed to be the official

* This Order is amended by the Foreign Marriages Orders in Council, 1895 and 1903, printed below. The fees to be taken by marriage officers acting under the Foreign Marriage Orders in Council are prescribed by the Consular Fees Orders in Council, which are printed under the title "Consul, British." By Order in Council, May 9, 1891 (printed in Statutory Rules and Orders 1891, p. 517), provision was made as to certain marriages celebrated at St. Petersburg between May 9 and August 9, 1891.

† 55 & 56 Vict. c. 23.

house of such ambassador, and is in this Order referred to as the embassy house, and every place within the precincts or curtilage of any such house, and any church or chapel annexed to such house, or for the time being used with the consent of the Government to which the ambassador is accredited as the chapel thereof, shall be deemed to form part of the embassy house.

For the purpose of marriages in an embassy house, the expression "office," when used with respect to the place where any act or thing shall or may be done, shall be construed to refer to such part of the embassy house as the ambassador may from time to time appoint as being sufficiently accessible to the public.

Embassy and Consular Marriages.

3. Where a marriage can be solemnized at a British consulate in a foreign country, the leave of the ambassador shall be obtained before the marriages solemnized in the embassy house in that country.

4.—(1.) Where a marriage according to the local law of a foreign country is valid by English law, then before the marriage is solemnized in that country under the Foreign Marriage Act, whether in an embassy house or at a consulate, the marriage officer must be satisfied either—

- (a) That both the parties are British subjects; or
- (b) If only one of the parties is a British subject, that the other is not a subject or citizen of the country; or
- (c) If one of the parties is a British subject, and the other a subject or citizen of the country, that sufficient facilities do not exist for the solemnization of the marriage in the foreign country in accordance with the law of that country.

(2.) If a marriage officer by reason of anything in this Article refuses to solemnize, or allow to be solemnized, in his presence the marriage of any person requiring such marriage to be solemnized, that person shall have the right of appeal to a Secretary of State given by Section 5 of the Foreign Marriage Act.

5. In the case of any marriage under the Foreign Marriage Act, if it appears to the marriage officer that the woman about to be married is a British subject, and that the man is an alien, he must be satisfied that the marriage will be recognised by the law of the country to which the alien belongs.

*6. The following modification of the requirements of the Foreign Marriage Act as to residence and notice which appear

* An addition was made to this Article by the "Foreign Marriages Order in Council, 1903," printed at p. 45 below.

to Her Majesty to be consistent with the observance of due precautions against the solemnization of clandestine marriages, shall have effect in cases where one only of the parties has dwelt within the district of the marriage officer :—

- (1.) A marriage may be solemnized under the Foreign Marriage Act in the official house of a marriage officer, in whose district one of the parties has dwelt—
 - (a) If the marriage officer is satisfied that such notice as is mentioned below in sub-Articles (3) and (4) of this Article, has been given of the intended marriage in the place where the other party has dwelt ; or
 - (b) If a Secretary of State is satisfied that the intended marriage is not clandestine, and that adequate notice has been given, and gives permission for the same to be solemnized.
- (2.) In either case the oath, affirmation, or declaration under Section 7 of the Foreign Marriage Act shall, in addition to the matter specified in sub-sections (a) and (c) of that section, state that one of the parties has for three weeks immediately preceding had his or her usual place of abode within the district of the marriage officer, and further state the place where the party who has not dwelt within that district has, within three months immediately preceding, had for three consecutive weeks his or her usual place of abode, and the notice which has been given in that place during those three weeks.
- (3.) The notice to be given where the marriage is not solemnized with the special permission of a Secretary of State shall, if the party has dwelt in a foreign country, be given, entered, and posted up in the manner and during the period provided by the Foreign Marriage Act, in like manner as if the marriage were to be solemnized by or before a marriage officer in that country, and the marriage officer to whom the notice is given in that country shall, on payment of the proper fee, give a certificate that the notice has been so given and posted up, and that he is unaware of any impediment which should obstruct the solemnization of the marriage.
- (4.) If the party dwells in a place in the United Kingdom, the notice shall be given in the like manner and on payment of the like fee as if that party were about to be married in that place, and in England or Ireland shall be given to the Superintendent Registrar, and in Scotland shall be given by proclamation of banns ; and the Superintendent Registrar or

Registrar shall deal with the notice and give a certificate for marriage in like manner and on payment of the like fee as in the case of a marriage in his district; and the sessions clerk of the parish in which the banns were proclaimed in Scotland shall, in like manner, and on payment of the like fee as in the case of a marriage in his district, give a certificate of proclamation of such banns.

Consular Marriages.

7. For the purposes of marriages to be solemnized by or before a marriage officer who is also a consul as defined by the Foreign Marriage Act, every place within the curtilage or precincts of the house in which the consul is for the time being resident, or of the building which is for the time being used for the purpose of his office, shall be part of the official house of such marriage officer, and every place to which the public have ordinary access in such official house shall be deemed to be part of the office of such marriage officer.

Registration of Marriages by Foreign Law.

*8.—(1.) A consular officer shall not be required to attend at the solemnization of a marriage solemnized in accordance with the local law unless the marriage is solemnized at the place where he is appointed to reside, nor unless the proper fee has been previously paid to him.

(2.) The consular officer shall forthwith, after the solemnization of the marriage, register the marriage in duplicate in books furnished to him by the Registrar-General through a Secretary of State for the purpose, separate from any register books provided for marriages solemnized by him, and shall register the same in accordance with Section 9 of the Foreign Marriage Act, save that if the person by whom the marriage has been solemnized declines to sign the same, the consular officer shall enter the name of that person, and the fact that he declines to sign the same.

(3.) The consular officer shall transmit copies and the certificate and the book when filled in manner provided by Section 10 of the Foreign Marriage Act.

(4.) Nothing in this Order shall authorise any officer who is not a consular officer to register a marriage solemnized in accordance with the local law.

(5.) The expression "consular officer" includes a consul-general, consul, vice-consul, pro-consul, consular agent, and any person for the time being authorised to discharge the duties of consul-general, consul, vice-consul, or consular agent.

* This Article is amended by "The Foreign Marriages Order in Council, 1895," printed below.

High Commissioners, &c.

9.—(1.) A Secretary of State by a written authority under Section 11 of the Foreign Marriage Act, may authorise a person to act in the place of a High Commissioner or resident mentioned in that section, outside of Her Majesty's dominions.

(2.) If a Secretary of State gives such authority, or, in pursuance of the said section, authorises any High Commissioner, resident, or other officer outside Her Majesty's dominions, not being an ambassador or consul, to be a marriage officer, then, for the purpose of marriages solemnized and registered by or before any High Commissioner, resident, or officer, or person so authorised, expressions in the Foreign Marriage Act shall be construed as follows:—

- (a) Expressions referring to the district of a marriage officer shall be construed to refer to the district for which such High Commissioner, resident, or officer, or person is authorised to act for the purpose of the Foreign Marriage Act;
- (b) The expression "official house of a marriage officer" shall be construed to refer to the building or part of a building or place specified in the document by which he is authorised to act;
- (c) The expression "office," when used with respect to the place at which any act or thing shall or may be done, shall be construed to refer to such portion of the building part or place so specified as is ordinarily accessible to the public.

Her Majesty's Ships.

10.—(1) Marriages, under the Foreign Marriage Act, on board one of Her Majesty's vessels may be solemnized by or before a commanding officer of such rank and of such vessel as is for the time being authorised for that purpose by or in pursuance of any Admiralty instructions, and for the purpose of any such marriages, expressions in the Foreign Marriage Act shall be construed as follows:—

- (a) Expressions referring to the district of a marriage officer shall be construed to refer to such parts of the foreign station to which the commanding officer is attached as may be specified in that behalf by Admiralty instructions;
- (b) The expression "official house of a marriage officer" shall be construed to refer to the vessel of the said commanding officer;
- (c) The expression "office," when used with respect to the place where any act or thing shall or may be done, shall be construed to refer to the part of the ship on which public notices are affixed.

(2.) The commanding officer, before he solemnizes a marriage, shall be satisfied that, at the port or place where the marriage is solemnized, sufficient facilities do not exist for the solemnization of the marriage on land, either in accordance with the local law of the country or in accordance with the Foreign Marriage Act.

(3.) The requirements of the Foreign Marriage Act as to residence and notice shall be modified as follows, namely, not less than three weeks' notice of the intended marriage must have been given in such public manner, or to such relatives or friends of the parties, as satisfies the commanding officer that as much notice of the intended marriage has been given as would be given if the marriage took place in England, and that the marriage is not clandestine.

11. The forms in the schedule to this Order, or forms to the like effect, shall be used in all cases to which they are applicable.

Definitions, &c.

12. In this Order the expression "ambassador" includes minister and chargé d'affaires, and references to the embassy or embassy house shall be construed accordingly.

Other expressions have the same meaning as in the Foreign Marriage Act.

13. This Order shall come into operation on the 1st day of January, 1893, and from and after that day the Order in Council made on the 24th November, 1891,* with respect to foreign marriages, shall be repealed.

14. This Order may be cited as "The Foreign Marriage Order in Council, 1892."

And the Right Honourable the Earl of Rosebery and the Most Honourable the Marquis of Ripon, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

Herbert M. Suft.

* Printed in Statutory Rules and Orders 1891, pp. 518-526.

MARRIAGE.

SCHEDULE.

FORMS.

No. 1.—*Notice of Marriage.*

To the [British Consul-General or Consul] at

I hereby give you notice that a marriage is intended to be had within three calendar months from the date hereof between me and the other party herein named and described (that is to say) :—

Name and Surname.	Condition.	Rank or Profession.	Age.	Residence.	Length of Residence.
A.B. - - -	Bachelor -		Of full age -		
C.D. - - -	Spinster -		Minor -		

Witness my hand, this day of

(Signed) *A.B. or
C. D.*

No. 2.—*Form of Oath.*

I, A.B., of _____, make oath and say as follows:—

1. A marriage is proposed to be solemnized between me and *C. D.*
2. I believe that there is not any impediment in kindred or alliance, or other lawful hindrance to the above marriage.
3. Both I and *C.D.* have for three weeks immediately preceding this date had our usual place of abode within the district of [*here insert the official title of the marriage officer, and, in the case of a consul, the place where he is appointed to reside*], that is to say, I at _____, and *C.D.* at _____
4. Neither I nor *C.D.* is under the age of 21 years ; _____ [*or, as the case may be, I am under the age of 21 years, but I am the widow of _____, who died on the _____ day of _____, 18 _____, [or I am under the age of 21 years, and the consent of G.H., whose consent is required to my marriage, is given as shown by the writing under his hand now shown to me and marked _____.]*]

NOTE.—Where the requirements of the Foreign Marriage Act as to residence have been dispensed with, the form of paragraph 3 of the oath by A.B. will be as follows:—

I have for three weeks immediately preceding this date had my usual place of abode within the district of [here insert the official title of the marriage officer, and, in the case of a consul, the place where he is appointed to reside], namely, at _____, and to the best of my knowledge and belief C.D. has within three months immediately preceding this date, namely, for three consecutive weeks from the _____ day of _____ to the _____ day of _____, had his [or her] usual place of abode at _____, and notice of our intended marriage has been given there during those weeks by _____, as appears by the certificate now shown to me and marked _____.

And the form of paragraph 3 of the oath by C.D. will be as follows :—

I have within three months immediately preceding this date, namely, for three consecutive weeks from the _____ day of _____ to the _____ day of _____, had my usual place of abode at _____, and notice of our intended marriage was given there during those weeks by _____, as appears by the certificate now shown to me and marked _____, and to the best of my knowledge and belief A.B. has for three weeks immediately preceding this date had her [or his] usual place of abode within the district of [here insert the official title of the marriage officer, and, in the case of a consul, the place where he is appointed to reside].

Where a Secretary of State has been satisfied that adequate notice has been given, and gives permission for the solemnization of the marriage, the form of so much of paragraph 3 of the oath as relates to the notice of the intended marriage will be as follows :—

A notice of our intended marriage has been given by [here state what notice has been given], as appears by the certificate [or other evidence of the notice] now shown to me and marked _____, and a Secretary of State has been satisfied that such notice is adequate and has given permission for the marriage to be solemnized.

N.B.—Any person entitled, under 51 & 52 Vict., c. 46 (the Oaths Act, 1888), or otherwise, to affirm or declare, may make an affirmation or declaration in lieu of an oath.

No. 3.—Form of Certificate of Notice.

I, A.B., British Consul [or as the case may be], of _____, hereby certify that on the _____ day of _____, 18____, I received the following notice of marriage [here insert the words of the notice], and that such notice was entered and was posted up in my consulate in the manner and during the period provided by the Foreign Marriage Act, 1892, as if the marriage was to be solemnized in my consulate, and that I am not aware of any impediment which should obstruct the solemnization of the above marriage.

No. 4.—Certificate of Copy of Register.

I, _____, [consul, or, as the case may be], residing at _____ do hereby certify that this is a true copy of the entries of marriages registered in my office, from the entry of the marriage of A.B. and C.D. number one, to the entry of the marriage of R.S. and T.V., number fourteen.

Witness my hand and seal, this _____ day of _____, 18____.

(Signature and official seal of the Marriage Officer).

THE FOREIGN MARRIAGES ORDER IN COUNCIL 1895.

1895. No. 375.

At the Court at Windsor, the 29th day of June, 1895.

PRESENT :

The Queen's Most Excellent Majesty.

His Royal Highness the Duke of Connaught and Strathearne.	
Lord Chancellor	Mr. Secretary Asquith.
Lord Privy Seal	Mr. Secretary Campbell-Bannerman
Marquess of Ripon	Sir William Vernon Harcourt
Earl of Kimberley	Sir George Trevelyan, Bart.
Lord Leigh	Sir Henry Brougham Loch

Whereas by the Foreign Marriage Act, 1892,* Her Majesty the Queen in Council is authorised to make regulations for the purposes therein specified :

Now, therefore, Her Majesty by virtue and in exercise of the powers conferred by the said Act or otherwise enabling Her in this behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. A British Consul, or person authorised to act as British Consul, shall not, under the provisions of Section 18 of the Foreign Marriage Act, 1892,* or Article 8 of the Foreign Marriages Order in Council, 1892,† register any marriages solemnized in accordance with the local law of a foreign country, unless he is a marriage officer, or is, for the time being, authorised by a Secretary of State to register such marriages; and no consular officer shall be required to attend at the solemnization of any marriage so solemnized unless he is by, or in pursuance of, this Order authorised to register such marriage.

2. This Order may be cited as “The Foreign Marriages Order in Council, 1895.”

And one of Her Majesty's principal Secretaries of State is to give the necessary directions herein.

C. L. Peel.

* 55 & 56 Vict. c. 23.

† Printed at p. 36 above.

THE FOREIGN MARRIAGES ORDER IN COUNCIL, 1903.

1903. No. 215.

At the Court at Buckingham Palace, the 12th day of March,
1903.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by the Foreign Marriage Act, 1892,* it is provided (Section 1) that all marriages between parties of whom one at least is a British subject solemnized in the manner in that Act provided in any foreign country or place, by or before a marriage officer within the meaning of that Act, shall be as valid in law as if the same had been solemnized in the United Kingdom with a due observance of all forms required by law ;

And whereas the said Act also provides (Section 2) that in every case of a marriage intended to be solemnized under that Act, one of the parties intending marriage shall give such notice as is therein mentioned to the marriage officer within whose district both of the parties have had their residence not less than one week then next preceding: but the said Act makes no provision for cases where one only of the parties has had such residence ;

And whereas the said Act (Section 21) authorised Her Majesty the Queen in Council to make Regulations for (amongst other purposes) modifying in special cases or classes of cases the requirements of that Act as to residence and notice, so far as such modification should appear to her Majesty to be consistent with the observance of due precautions against clandestine marriages ;

And whereas by the Foreign Marriages Order in Council, 1892,† passed in pursuance of the said last-mentioned authority, it was provided (Article 6) as follows ;

[Here follows a reprint of the said Article 6 printed at p. 37 above.]

And whereas it is expedient that further modifications of the requirements of the said Act as to residence and notice should have effect in cases where one only of the parties has dwelt within the district of the marriage officer and the other has dwelt in the Colony or in India :

Now, therefore, His Majesty, by virtue and in exercise of the powers enabling Him in this behalf, is pleased, by and

* 55 & 56 Vict. c. 23.

† Printed at p. 36 above.

with the advice of His Privy Council, to order, and it is hereby ordered, as follows :

1. The following further modifications of the requirements of the Foreign Marriage Act, 1892, as to residence and notice which appear to His Majesty to be consistent with the observance of due precautions against the solemnization of clandestine marriages, shall have effect in cases where one only of the parties has dwelt within the district of the marriage officer and the other of such parties has dwelt in a Colony or in India, that is to say :

- (1.) If the marriage officer is satisfied that such notice has been given by the party dwelling in such Colony or in India as may be provided by any law of that Colony or of the Governor-General of India in Council (as the case may be) giving effect to this Order.
- (2.) In any such case the oath, affirmation, or declaration required by Section 7 of the Foreign Marriage Act shall be made subject to the modifications thereof, to which effect is given by Article 6 of the Foreign Marriages Order in Council, 1892.

2. A law enacted by the Legislature of a Colony or by the Governor-General of India in Council shall be deemed to give effect to this Order if it makes provision (in whatever terms expressed) as follows :—

- (1.) That a notice of a marriage intended to be solemnized under the Foreign Marriage Act may be given by one of the parties intending such marriage who has had his or her usual place of abode for three consecutive weeks immediately preceding in some place in that colony or in India (as the case may be) to such Marriage Registrar or other officer as may be designated by the law in this behalf ;
- (2.) That such notice shall be published either by proclamation of banns or in such other manner as the law may provide ; and
- (3.) That such Marriage Registrar or other officer, unless he is aware of any impediment or objection which should obstruct the solemnization of the marriage, shall, on payment of such fee, if any, as the law may provide, give a certificate that the said notice has been so given and published as aforesaid.

3. In this Order "Colony" and "India" have the same respective meanings as are given to these expressions by Section 18 of the Interpretation Act, 1889.*

* 52 & 53 Vict. c. 63.

4. This Order may be cited as "The Foreign Marriages Order in Council, 1903;" and the Foreign Marriages Order in Council, 1892, and this Order may be cited together as "The Foreign Marriages Orders in Council, 1892 and 1903."

And the Right Honourable Joseph Chamberlain and the Right Honourable Lord George Hamilton, two of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

A. W. FitzRoy.

MASTER AND SERVANT.*

Truck Acts.

ORDERS OF THE SECRETARY OF STATE, UNDER SECTION 9 OF THE TRUCK ACT, 1896 (59 & 60 VICT. C. 44), GRANTING EXEMPTIONS FROM THE PROVISIONS OF THE ACT, ORDER DATED MARCH 3, 1897 :—PERSONS ENGAGED IN THE WEAVING OF COTTON IN LANCASHIRE, CHESHIRE, DERBYSHIRE, AND THE WEST RIDING OF YORKSHIRE.

1897. No. 299.

Whereas by Section 9 of the Truck Act, 1896, it is enacted that the Secretary of State, if satisfied that the provisions of that Act are unnecessary for the protection of the workmen employed in any trade or business, or in any branch or department of any trade or business, either generally or within any specified area, may by Order under his hand grant an exemption from those provisions in respect of the persons engaged in that trade, business, branch, or department either generally or within that area :

And whereas I, the Right Honourable Sir Matthew White Ridley, Baronet, one of Her Majesty's Principal Secretaries of State, am satisfied that the provisions of the said Act are unnecessary for the protection of the workmen employed in all branches of the weaving of cotton in the counties of Lancashire, Cheshire, Derbyshire, and the West Riding of Yorkshire.

I hereby, in pursuance of the power conferred on me by the said section, by this Order under my hand, grant an exemption from the provisions of the Truck Act, 1896, in respect of the persons engaged in all branches of the weaving of cotton in the said counties of Lancashire, Cheshire, Derbyshire, and the West Riding of Yorkshire.

M. W. Ridley.

Whitehall, 3rd March, 1897.

* Rules of Procedure under the Employers and Workmen Act, 1875, the Employers' Liability Act, 1883, and the Workmen's Compensation Act, 1897, are printed under the titles relating to the Court of Judicature to which they pertain.

ORDER, DATED JULY 30, 1897 :—PERSONS ENGAGED IN IRON ORE MINES AND LIMESTONE QUARRIES IN THE FURNESS OR DETACHED PART OF LANCASHIRE, AND IN THE MILLOM URBAN DISTRICT IN THE COUNTY OF CUMBERLAND, AND IRONSTONE MINES IN THE NORTH RIDING OF YORKSHIRE.

1897. No. 629.

Whereas. . . . [*Here follows the first recital to the Order of March 3, 1897, printed above.*]

And whereas I, the Right Honourable Sir Matthew White Ridley, Baronet, one of Her Majesty's Principal Secretaries of State, am satisfied that the provisions of the said Act are unnecessary for the protection of the workmen engaged in iron ore mines and limestone quarries in the Furness or detached part of Lancashire, and in the Millom Urban District in the County of Cumberland, and in ironstone mines in the North Riding of Yorkshire :

I hereby, in pursuance of the power conferred on me by the said section, grant an exemption from the provisions of the Truck Act, 1896, in respect of the persons engaged in iron ore mines and limestone quarries in the Furness or detached part of Lancashire, and in the Millom Urban District in the County of Cumberland, and in ironstone mines in the North Riding of Yorkshire.

Home Office, Whitehall, 30th July, 1897.

M. W. Ridley.

MAURITIUS.

1. *Constitution, p. 1.* | 2. *Courts of Justice, p. 21.*

1. Constitution.

LETTERS PATENT, DATED MARCH 22, 1879, PASSED UNDER THE GREAT SEAL OF THE UNITED KINGDOM, CONSTITUTING THE OFFICE OF GOVERNOR AND COMMANDER-IN-CHIEF OF THE COLONY OF MAURITIUS AND ITS DEPENDENCIES,* AS AMENDED BY LETTERS PATENT DATED FEBRUARY 21, 1895.†

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these presents shall come, greeting.

Whereas We did, by certain letters patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the sixth day of November, 1874, in the thirty-eighth year of Our reign, constitute and appoint Our trusty and well-beloved Sir Arthur Purves Phayre, Major-General in Our army, Knight Commander of Our Most Exalted Order of the Star of India, Companion of Our Most Honourable Order of the Bath (now lieutenant-general in Our army, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George), to be, for and during Our will and pleasure, Our governor and commander-in-chief in and over Our Island of Mauritius, and the territories and dependencies thereof: And whereas We are desirous of making permanent provision for the office of governor and commander-in-chief in and over Our said Island of Mauritius and the dependencies* thereof, without making new letters patent on each demise of the said office.

Preamble,
recites gover-
nor's commis-
sion, 6th
November,
1874.

Now know ye that We do by these presents revoke and determine the said recited letters patent and everything therein contained;

Revocation of
governor's
commission.

And further know ye that We, of Our special grace, certain knowledge, and mere motion, do by these presents constitute, order, and declare that there shall be a governor and commander-in-chief in and over Our Island of Mauritius

Office of
governor
constituted.

* By Letters Patent dated August, 31, 1903, and printed under the title "Seychelles," the Seychelles Islands were created into a separate Colony.

† The amending Letters Patent are printed at length in Statutory Rules and Orders, 1895, p. 759.

and the dependencies thereof (which said island and its dependencies are herein-after referred to as the colony), and that appointments to the said office, when vacant, shall be by commission under Our sign manual and signet.

Governor's
powers and
authorities.

II. We do hereby authorise, empower, and command the said governor and commander-in-chief (herein-after called the governor) to do and execute all things that belong to his said office, according to the tenor of these Our letters patent, and of such commission as may be issued to him under Our sign manual and signet, and according to such instructions as may from time to time be given to him, under Our sign manual and signet, or by Our Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are or shall hereafter be in force in the colony.

III. We do also by these Our letters patent declare Our will and pleasure as follows :—

Publication of
governor's
commission.

IV. Every person appointed to fill the office of governor shall, with all due solemnity, before entering on any of the duties of his office, cause the commission appointing him to be governor to be read and published at the seat of government, in the presence of the chief justice or some other judge of the supreme court of the colony, and of the members of the executive council thereof, which being done, he shall then and there take before them the oath of allegiance, in the form provided by an Act passed in the session holden in the thirty-first and thirty-second years of Our reign, intituled "An Act to amend the Law relating to Promissory Oaths";* and likewise the usual oath for the due execution of the office of governor, and for the due and impartial administration of justice; which oaths the said chief justice or judge is hereby required to administer.

Oaths to be
taken by
governor.
Imperial Act,
31 & 32 Vict.
c. 72.

Public seal.

V. The governor shall keep and use the public seal of the colony for sealing all things whatsoever that shall pass the said public seal.

Executive
council, consti-
tution of.

VI. There shall be an executive council for the colony, and the said council shall consist of such persons as We shall direct by the instructions accompanying these Our letters patent, or by any other instructions under Our sign manual and signet, and all such persons shall hold their places in Our executive council during Our pleasure.

VII. VIII.

[These Clauses, which related to the constitution and functions of the Council of Government, were repealed by the Letters Patent of September 16, 1885, printed at p. 5 below.]

* The Promissory Oaths Act, 1868.

IX. The governor in Our name and on Our behalf may make and execute under the public seal of the colony grants and dispositions of any lands which may be lawfully granted or disposed of by Us within the colony : Provided that every such grant or disposition be made in conformity either with some law in force in the colony, or with some instructions addressed to the governor under Our sign manual and signet, or through one of Our principal Secretaries of State, or with some regulation in force in the colony.

Governor empowered to make grants of lands.

X. The governor may constitute and appoint all such judges, commissioners, justices of the peace, and other necessary officers and ministers, in the colony, as may be lawfully constituted or appointed by Us, all of whom shall hold their offices during Our pleasure.

And to appoint judges and other officers.

XI. The governor may, upon sufficient cause to him appearing, suspend from the exercise of his office any person holding any office within the colony, whether appointed by virtue of any commission or warrant from Us or in Our name or by any other mode of appointment. Every such suspension shall continue and have effect only until Our pleasure therein shall be signified to the governor. In proceeding to any such suspension, the governor is strictly to observe the directions in that behalf given to him by the instructions accompanying these Our letters patent or by any other instructions as aforesaid.

Suspension of officers ;

XII. When any crime has been committed within the colony, or for which the offender may be tried therein, the governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted in any court, or before any judge or other magistrate, within the colony, a pardon, either free or subject to lawful conditions, and any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the governor thinks fit, and may remit any fines, penalties, or forfeitures due or accrued to Us.

Grant of pardons.

Remission of fines.

Provided always, that the governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the colony.

Proviso : banishment from colony prohibited. Exception : political offences.

XIII.* Whenever the office of governor of the colony is vacant, and whenever the governor becomes incapable or is

Succession to the government, &c.

* The new clause XIII. As substituted for the previous clause XIII. by the Letters Patent of 1895.

absent from the colony, our lieutenant-governor of the colony, or, if there shall be no such officer in the colony, then such person or persons as we may appoint under Our sign manual and signet; and in default of any such appointment the senior civil member of the council of government shall during Our pleasure administer the government of the colony, first taking the oaths by the principal letters patent directed to be taken by the governor in the manner therein prescribed, which being done we do hereby authorize, empower, and command Our lieutenant-governor, or any other such administrator as aforesaid, to do and execute during Our pleasure all things that belong to the office of governor and commander-in-chief according to the tenor of Our said principal letters patent, and according to any other Our letters patent for the time being in force relating to our said colony.

Provided always that when the governor is on a voyage between any of the islands under his government, or is in any place at which he has landed in the course of any such voyage, he shall be deemed not to be absent from the colony.

Governor may delegate powers during absence from the Colony of Mauritius, but within limits of government.

XIV.* Whenever the governor shall be absent from the Island of Mauritius, but shall by virtue of Clause II. of these letters patent † be deemed not to be absent from the colony, then such person as the governor may by commission under the public seal of the colony appoint, shall, and is hereby empowered and required to, exercise in the said island during such absence such of the powers and authorities granted to the governor by the principal letters patent (except the power of granting a pardon or remission of sentence) as the governor shall think fit to assign to him by such commission, and if there shall be no person in the island so appointed, the senior civil member of the council of government shall, and is hereby empowered and required to, exercise in the said island during such absence all the said powers and authorities (except as aforesaid).

Officers and others to obey and assist the governor.

XV. And We do hereby require and command all Our officers and ministers, civil and military, and all other the inhabitants of the colony, to be obedient, aiding, and assisting unto the governor, or to such person or persons as may, from time to time, under the provisions of these Our letters patent, administer the government of the colony, or to such person as under the last preceding article may from time to time be appointed to exercise any of the powers and authorities hereby granted.

Power reserved to Her Majesty to revoke, alter, or amend the present letters patent.

XVI. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time to revoke, alter, or amend these Our letters patent as to Us or them shall seem fit.

* The new clause XIV. was substituted for the previous clause XIV. by the Letters Patent of 1895.

† i.e. Clause II. of the Letters Patent of 1895 printed as clause XIII. above.

XVII. And we do direct and enjoin that these Our letters patent shall be read and proclaimed* at such place or places within the colony as the governor shall think fit. Publication of letters patent.

In witness whereof We have caused these Our letters to be made patent. Witness Ourselves at Westminster, the twenty-second day of March, in the forty-second year of our reign.

By warrant under the Queen's sign manual.

C. Romilly.

LETTERS PATENT DATED SEPTEMBER 16, 1885, PASSED UNDER THE GREAT SEAL OF THE UNITED KINGDOM, ALTERING THE CONSTITUTION OF THE COUNCIL OF GOVERNMENT OF MAURITIUS AS AMENDED BY LETTERS PATENT, DATED AUGUST, 14, 1901†

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these presents shall come, greeting.

Whereas the council of government of our colony of Mauritius is now constituted and possesses powers of legislation under and according to the provisions of certain letters patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date the 22nd day of March, 1879.† Recites letters patent of 22nd March, 1879.

And whereas We are minded to alter the constitution of the said council of government:

Now know ye that We do by these Our letters patent declare Our will and pleasure as follows:—

I. There shall be in and for the colony of Mauritius a council of government constituted as herein-after mentioned. Council of government established.

II. The council shall consist of the governor, of eight *ex-officio* members, of nine nominated members, and of ten elected members. Constitution of the council.

The *ex-officio* members shall be the senior military officer for the time being in command of Our regular troops in the colony, the persons for the time being lawfully discharging the functions of the respective offices of colonial secretary, procureur general, receiver general, auditor general, collector of customs, protector of immigrants, surveyor general, or such officers as We may by instructions under Our sign manual and signet from time to time think fit to appoint.

* These Letters Patent were proclaimed May 10, 1879.

† The amending Letters Patent are printed at length in Statutory Rules and Orders, 1901, p. 529.

The nominated members, of whom one third at least shall be persons not holding any office in the public service of the colony, shall be such persons, not exceeding nine in number at any one time, as We may from time to time appoint by any instruction or warrant under Our sign manual and signet, or as the governor in pursuance of the powers hereby vested in him may from time to time provisionally appoint.

The elected members shall be persons to be elected as herein-after provided.

Precedence of members.

III. The *ex-officio* members of the council shall take precedence of the other members, and shall rank among themselves in the order in which they are herein-before named. The other members shall rank among themselves in the order of date of their appointment or election, and two or more members appointed or elected on the same day shall rank in the alphabetical order of their names.

Tenure of seats of nominated Members of Council.

IV.* The nominated members of the council shall hold their seats until the next dissolution of the council after their appointment, unless previously removed by virtue of an instruction or warrant under Our sign manual and signet, or suspended by the governor under the power for that purpose hereby vested in him, or unless they shall previously resign their seats. Nominated members may be re-appointed.

Provisional appointment by governor of nominated members.

V. For the purpose of constituting the council without unnecessary delay, the governor may forthwith by instruments under the public seal appoint provisionally fit persons, not exceeding nine in number, to be nominated members of the council. Every such appointment may be disallowed or confirmed by Us through one of Our principal Secretaries of State, and until so confirmed, may be revoked by the governor by an instrument under the said seal.

Public officers must accept seat in council if so required.

VI. Any person holding any office in the public service of the colony to which he shall have been appointed after the publication of these presents in the colony may be required to serve as a nominated member of the council, and if any such person having been appointed by Us or by the governor a member shall decline to act in that capacity he shall *ipso facto* vacate his office.

Suspension of nominated members.

VII. The governor may, by an instrument under the public seal, suspend any nominated member from the exercise of his functions as a member of the council. Every such suspension shall be forthwith reported by the governor to Us through one of Our principal Secretaries of State, and shall remain in force unless and until either it shall be removed by the governor by an instrument under the said seal or it shall be disallowed by Us through one of Our principal Secretaries

* The new Clause IV. was substituted for the previous Clause IV. by the Letters Patent of 1901.

of State, and such disallowance shall be published in the Gazette.

VIII.* Whenever any nominated member shall, by writing under his hand, resign his seat in the council, or shall die or be suspended from the exercise of his functions as a member of the council, or be declared by the governor by an instrument under the public seal to be incapable of exercising his functions as a member of the council, or be temporarily absent from the colony, or shall either permanently or temporarily become an *ex officio* member of the council, the governor may, by an instrument under the public seal, appoint some person to be provisionally a member of the council in the place of the member so resigning or dying, or being suspended or declared incapable, or temporarily absent, or becoming either permanently or temporarily an *ex officio* member.

Provisional appointment of nominated members to fill temporary vacancies.

Every such provisional appointment may be disallowed by us through one of our principal secretaries of state, or may be revoked by the governor by any such instrument as aforesaid.

IX. Every person provisionally appointed shall be to all intents and purposes a member of the council until his appointment shall be disallowed or revoked, or superseded by the permanent appointment of a nominated member of the council, or until the person in whose place he has been appointed shall be relieved from suspension or declared by the governor by an instrument under the public seal to be capable of exercising the functions of a member of the council, or shall return to the colony, as the case may be.

Position of provisional members.

X. No person shall be capable of being elected a member of the council, or, having been elected, shall sit or vote in the council, who—

Qualification of elected members.

- (1.) Is the holder of any office of emolument under the Crown, or under a municipal corporation within the colony; or
- (2.) Is a minister of religion; or,
- (3.) Is the returning officer of the district for which the election is held; or,
- (4.) Is not entitled to vote at the election of a member of the council for some electoral district.

The term "office of emolument" in this and the twelfth section does not extend to the mayor or any other member of a municipal corporation, and does not include a pension or other allowance to an officer who has ceased to be in the service of the Crown or of a municipal corporation.

* The new Clause VIII. was substituted for the previous Clause VIII. by the Letters Patent of 1901.

Penalty for unqualified person sitting or voting.

XI. Every person who, having been returned as an elected member of the council, but not having been at the time of his election qualified to be an elected member, shall sit or vote in the council, shall for every day on which he sits or votes, and every person who shall sit or vote in the council after his seat has become vacant shall for every day on which he sits or votes after his seat has become vacant, be liable to a penalty of 50*l.*, to be recovered by action in the supreme court of the colony by any person who shall sue for the same.

Seat of elected member, how vacated.

XII. If any elected member of the council shall, by writing under his hand, addressed to the governor, resign his seat in the council, or shall, without the leave of the governor previously obtained, be absent from the sittings of the council during a whole session, or shall make any declaration or acknowledgment of allegiance to any foreign state or power, or shall become a citizen or subject to any foreign state or power, or shall be adjudicated a bankrupt, or shall be sentenced in any part of Our dominions to death, penal servitude, or imprisonment with hard labour or for a term exceeding 12 months, or shall for the period of one month remain a party to any contract with the government of the colony, or shall accept any office of emolument under the Crown or under a municipal corporation within the colony, his seat in the council shall thereupon become vacant.

Writ for election to supply vacancy.

Whenever it shall be shown to the satisfaction of the governor that the seat of an elected member has become vacant, the governor shall, as soon as possible, issue a writ for the election of a new member in the place of a member whose seat has become vacant, but if any question shall arise as to the fact of such vacancy, it shall be referred to and decided by the council.

Oath of allegiance to be taken by members of council.

XIII. No member of the council shall sit or vote therein until he shall have taken and subscribed the following oath before the governor, or some person authorised by the governor to administer such oath :—

“ I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to her Majesty Queen Victoria, her heirs and successors according to law.

“ So help me God.”

Provided that every person authorised by law to make an affirmation instead of taking an oath may make such affirmation instead of the said oath.

Electoral districts.

XIV. For the purpose of the election of members of the council, the nine districts of the island of Mauritius shall form nine electoral districts.

Two members shall be elected for the district of Port Louis, and one member for each of the other districts.

XV. Every male person shall be entitled to be registered in any year as a voter for any electoral district, and when registered to vote at the election of a member of the council for such district, who is qualified as follows, that is to say :—

Qualification of electors.

- (1.) Has attained the age of 21 years.
- (2.) Is under no legal incapacity, and is in possession of his civil rights.
- (3.) Is a British subject by birth or naturalisation.
- (4.) Has resided in the colony for three years at least previous to the date of registration, and possesses some one of the following qualifications :—
 - (a) is on the 1st day of January in such year, and has during the preceding six calendar months been, the owner of immovable property within such district of the annual value of Rs. 300, or the monthly value of Rs. 25 above all charges and incumbrances affecting the same :
 - (b) is at the date of registration paying, and has for six calendar months previous to the 1st day of January in such year paid, rent in respect of immovable property, situate within such district, at the rate of at least Rs. 25 per month :
 - (c) has for three calendar months previous to the 1st day of January in such year resided, or had his principal place of business or employment within such district, and is the owner of movable property within the colony of the value of at least Rs. 3,000 :
 - (d) is the husband of a wife, or the eldest son of a widow, possessing any one of the above qualifications :
 - (e) has for three calendar months previous to the 1st day of January in such year resided, or had his principal place of business or employment within such district, and is in receipt of a yearly salary of at least Rs. 600, or a monthly salary of at least Rs. 50 per month,
 - (f) has for three calendar months previous to the 1st day of January in such year resided, or had his principal place of business or employment within such district, and pays licence duty to the amount of at least Rs. 200 per annum.

Provided—

- (1.) That no person shall be registered as a voter or be entitled to vote for the election of a member of the council who has been convicted of perjury in any court in Our dominions, or who has been sentenced by any such court to death, or penal servitude, or imprisonment with hard labour or for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced or such other punishment as by competent authority may have been substituted for the same or received a free pardon from Us.
- (2.) That no person shall be registered as a voter in any year who has within twelve calendar months immediately preceding the first day of January in that year received any relief from public or parochial funds.
- (3.) That no person shall be registered as a voter in any year unless he shall in the presence of the registering officer of a magistrate with his own hand subscribe his name to his claim to be registered, and write thereon the date of such subscription, and the qualification in respect of which he claims to be registered.
- (4.) That no person claiming to be registered in the district in which he resides, in respect of either of the qualifications (c), (d), (e), (f), shall be registered in respect of the same qualification in the district in which he has his principal place of business or employment, or *vice versa*.

Registers of
voters to be
made in each
district

XVI. In each of the said electoral districts a register shall be made in every year of the persons entitled to vote at the election of a member of the council for such district. The first registers to be made shall come into force on a day to be appointed by the governor by proclamation, and shall remain in force until the registers to be made in the following year come into force, and all registers after the first shall come into force at such time as shall be appointed by any law to be enacted by the governor, with the advice and consent of the council, and until any such law shall be enacted at such times as shall be appointed by the governor by proclamation, and shall remain in force for one year.

Returning
officers.

XVII. The governor shall from time to time appoint a fit and proper person to be the returning officer of each electoral district, and may at any time cancel any such appointment; and if any returning officer shall, by sickness or other cause, be prevented or disabled from acting, or shall refuse or neglect to act at any election, the governor may at any time appoint some fit and proper person to act in the place of such returning officer at such election. Every appointment of a returning

officer shall be valid until his death or resignation, or until such appointment shall be cancelled by the governor. Every appointment or cancellation of appointment of a returning officer shall be notified in the Gazette.

XVIII. For the purpose of every general election of members of the council, and for the purpose of the election of members to supply vacancies caused by death, resignation, or otherwise, the governor shall issue writs of election under the public seal, addressed to the returning officers of the respective electoral districts for which members are to be returned. Every such writ shall specify the day and place of election, and the day on which it is returnable to the governor; upon receipt of such writ every returning officer shall proceed to hold the election thereby directed; and after such election he shall certify the return of each member elected by endorsement on the writ, and shall return the writ so endorsed to the governor within the time for that purpose specified therein. He shall also, as soon as possible, give public notice of each candidate elected, and in the case of a contested election of the number of votes given for each candidate, whether elected or not.

XIX. Every candidate for election as a member of the council shall be nominated in writing by not less than six registered electors of the electoral district for which he seeks to be elected.

XX. In the case of a poll at an election of a member of the council the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in these letters patent called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached to it a counterfoil with the same number printed on the face. At the time of voting the ballot paper shall be marked on both sides with an official mark and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded up the paper so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station, after having shown to him the official mark at the back.

Each voter in the Port Louis district may, if he so desires, vote for two candidates when two members are to be elected, but in no other case shall any voter have more than one vote in any one district.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than there are members to be elected, or on which anything except the said number on the back is written or marked, by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed so as to prevent the introduction of additional ballot papers and shall be taken charge of by the returning officer, who shall, in the presence of such agents (if any) of the candidates as may be in attendance, open the ballot boxes and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidate to whom the majority of the votes have been given.

The decision of the returning officer, as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Provision for voters physically incapacitated from voting or unable to read.

XXI. If any voter is incapacitated by blindness or other physical cause from voting in the manner prescribed by these letters patent, or by any law or proclamation in force for the time being, or if any voter shall, at the time of polling in the presence of the officer presiding at the polling station, sign with his name or mark, attested by such presiding officer, a declaration that he is unable to read the ballot paper, such presiding officer shall, at the request of such voter, in the presence of the agents of the candidates, cause his vote to be marked on a ballot paper in the manner directed by such voter, and the ballot paper so marked to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is so marked for him, and the reason why it is so marked, shall be entered on a list which shall be delivered to the returning officer.

Casting vote of returning officer.

XXII. Whenever there is an equality of votes between candidates at any election of a member of the council, and the addition of a vote would entitle any such candidates to be declared elected, the returning officer, if he is a registered elector of the electoral district for which the election is held, may give such additional vote, but the returning officer shall not, in any other case, be entitled to vote at an election for which he is the returning officer.

Petitions against disputed elections.

XXIII. A petition complaining of an undue return or undue election of a member of the council, in these letters patent called an election petition, may be presented to the supreme court by any one or more of the following persons, that is to say.—(1) some person who voted or had a right to vote at the election to which the petition relates, (2) some person claiming to have had a right to be returned at such election, (3) some person alleging himself to have been a candidate at such election.

Trial of election petitions.

XXIV. Every election petition shall be tried by a judge of the supreme court sitting alone without a jury in open court. At the conclusion of the trial, the judge shall determine whether the member of council whose return or election is complained of or any and what other person was duly returned or elected, or whether the election was void, and shall certify

such determination to the governor, and, upon such certificate being given, such determination shall be final ; and the return shall be confirmed or altered, or a writ for a new election shall be issued, as the case may require, in accordance with such determination.

Decision of
Judge final.

XXV. At the trial of an election petition the judge shall, subject to the provisions of these presents or of any proclamation to be made by the governor under these letters patent, have the same powers, jurisdiction, and authority, and witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances will admit, as in a trial of a civil action in the supreme court, and shall be subject to the same penalties for perjury.

Power of
Judge.

Summoning
witnesses.

XXVI. Subject to the provisions of these presents, the election of members of the council shall be held and the registration of voters for the election of such members shall be effected at such times, in such places, and in such manner and form, and by such officers, and with such provisions for ascertaining the qualifications of voters and candidates, and all questions and disputes as to the validity or as to the results of elections of elected members shall be determined by such tribunals and in such manner as shall be ordained by any law or laws to be enacted by the governor with the advice and consent of the council, and in the meantime, and until provision has been made for the purposes aforesaid by the enactment of any such law or laws as aforesaid, as shall be directed by any proclamation or proclamations to be issued by the governor and published in the Gazette. Every proclamation made in pursuance of this clause shall from the publication thereof have the same force and effect as if it had been embodied in and formed part of these letters patent.

Provision for
holding elec-
tions, for
registration of
voters, and for
determining
disputed
elections to be
made by local
laws, or by the
governor's
proclamation.

XXVII. The following persons shall be deemed guilty of bribery within the meaning of these letters patent :—

Definition of
bribery.

- (1.) Every person who directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election.
- (2.) Every person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to

or for any other person in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election.

- (3.) Every person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure, or endeavour to procure, the return of any person as an elected member of the council, or the vote of any voter at any election.
- (4.) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procures or engages, promises or endeavours to procure the return of any person as an elected member of the council, or the vote of any voter at any election.
- (5.) Every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money, or any part thereof, shall be expended in bribery at any election, or who knowingly pays, or causes to be paid, any money to any person, or discharge or repayment, of any money wholly or in part expended in bribery at any election.
- (6.) Every voter who, before or during any election, directly or indirectly, by himself or by any other person in his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election.
- (7.) Every person who, after any election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election.
- (8.) Every person who directly or indirectly corruptly pays any rate or tax on behalf of any other person for the purpose of enabling him to be registered as a voter in order thereby to influence his vote at any future election, and every person on whose behalf, and with whose privity, any such payment as last aforesaid is made.

XXVIII. The following persons shall be deemed guilty of treating within the meaning of these letters patent :— Definition of treating.

- (1.) Every person who corruptly, by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides or pays wholly or in part the expense of giving or providing any food, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person, or any other person, to vote or refrain from voting, at such election, or on account of such person or any other person having voted or refrained from voting at such election.
- (2.) Every elector who corruptly accepts or takes any such food, drink, entertainment, or provision.

XXIX. Every person who directly or indirectly, by himself, or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent contrivance, impedes or prevents the free exercise of the franchise of any elector, or thereby compels, induces, or prevails upon any elector either to give or refrain from giving his vote at any election, shall be guilty of undue influence within the meaning of these letters patent. Definition of undue influence.

XXX. Every person who at an election applies for a ballot paper in the name of another person, whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at any election applies at the same election for a ballot paper in his own name, shall be guilty of personation within the meaning of these letters patent. Definition of personation.

XXXI. Every person who is guilty of bribery, treating, or undue influence shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for a term not exceeding one year, or to be fined any sum not exceeding Rs. 2,000. Penalty for bribery, treating, or undue influence.

XXXII. Every person who is guilty of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for a term not exceeding two years. Penalty for personation.

XXXIII. Every person who is convicted of bribery, treating, undue influence, or personation, or of aiding, counselling, or procuring the commission of the offence of personation, Disqualification for bribery, &c.

shall, (in addition to any other punishment) be incapable during a period of seven years from the date of his conviction—

- (1.) Of being registered as a voter, or voting at any election of a member of the council.
- (2.) Of being elected a member of the council, or, if elected before his conviction, of retaining his seat as such member.

Penalty for
certain illegal
practices at
elections.

XXXIV. Every person who—

- (1.) votes, or induces or procures any person to vote at any election, knowing that he or such other person is prohibited by these letters patent, or by any law, from voting at such election ;
- (2.) before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate ;

shall be guilty of an illegal practice, and shall, on summary conviction thereof, be liable to a fine not exceeding Rs. 1,000, and be incapable during a period of five years from the date of his conviction, of being registered as a voter, or voting at any election of a member of the council for the electoral district in which the illegal practice was committed.

Offences in
respect of
ballot papers,
&c.

XXXV. Every person who—

- (1.) forges or counterfeits, or fraudulently defaces or destroys, any ballot paper or the official mark on any ballot paper ; or,
- (2.) without due authority supplies a ballot paper to any person ; or,
- (3.) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in ; or.
- (4.) fraudulently takes out of the polling station any ballot paper ; or,
- (5.) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of any election ;

shall be guilty of misdemeanour, and be liable, if he is a returning officer or presiding officer, or clerk employed at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, or to a fine not exceeding Rs. 2,000, and, if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour, or to a fine not exceeding Rs. 500.

Any attempt to commit any offence specified in this clause shall be punishable in the manner in which the offence itself is punishable.

In any information or prosecution for an offence in relation to the ballot boxes, ballot papers, and other things in use at an election, the property in such ballot boxes, ballot papers, or things, may be stated to be in the returning officer at such election.

XXXVI. Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any voter who has or has not applied for a ballot paper or voted at that station, and no person whosoever shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station any information as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Infringement of secrecy.

Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this clause shall be liable, on summary conviction before two or more justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

XXXVII. It shall be lawful for the governor, with the advice and consent of the council, to make laws for the peace, order, and good government of the colony. Power to make laws.

XXXVIII. No law made by the governor with the advice and consent of the council shall take effect until either the governor shall have assented thereto in Our name and on Our behalf, and shall have signed the same in token of such assent, or until We shall have given Our assent thereto by Our Order in Our Privy Council or through one of Our principal Secretaries of State. Assent to laws.

XXXIX. When the governor assents to a law, he shall, by the first convenient opportunity, transmit to one of Our principal Secretaries of State a copy of the law, authenticated Disallowance of laws.

under the public seal and by his own signature, and if at any time within two years after such copy shall have been received by Our said Secretary of State, We shall notify to the governor Our disallowance of such law through one of Our principal Secretaries of State, every law so disallowed shall become null and void from and after the day on which the governor shall signify such disallowance by proclamation in the Gazette.

Ordinances reserved for the signification of Her Majesty's pleasure.

XL. The governor may reserve any ordinance passed by the council for the signification of Our pleasure thereon, and shall so reserve any such ordinance by which any provision of these Our letters patent is repealed, altered, or amended, or which is in any way repugnant to or inconsistent with any of the provisions of these presents. An ordinance so reserved shall take effect so soon as We shall have given Our assent thereto, either by Our Order in our Privy Council or through one of Our principal Secretaries of State, and the governor shall have signified such assent by proclamation in the Gazette.

Questions, &c., for debate.

XLI.* It shall be competent for any member of the council to propose any question for debate therein; and such question, if seconded by any other member, shall be debated and disposed of according to the standing rules and orders: Provided always, that no ordinance, vote, resolution, or question, the object or effect of which may be to dispose of or charge any part of Our revenue arising within the colony, or to revoke, alter, or vary any such disposition or charge, shall be proposed, except by the governor or with his consent: And provided further, that no vote, resolution, or questions, the object or effect of which may be to suspend the standing orders of the council, shall be proposed except by the governor or with his consent.

Governor or his appointee or senior member present to preside.

XLII. The governor, if present, or, in his absence, any member of the council appointed by him in writing, or, in default of such appointment, the member present who stands first in order of precedence, shall preside at every meeting of the council.

Voting.

XLIII. All questions proposed for decision in the council shall be determined by a majority of the votes of the members present, and the governor or other presiding member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

Casting vote.

Council may transact business notwithstanding vacancies.

XLIV. The council shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the *ex-officio*, nominated, or elected members.

Quorum.

XLV. Until otherwise provided by the council, no business except that of adjournment shall be transacted unless there

* The new Clause XLI. was substituted for the previous Clause XLI. by the Letters Patent of 1901,

shall be present nine members besides the governor or presiding member.

XLVI. Subject to the provisions of these presents, the council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions as to the transaction of business and passing of laws by the council as hereafter constituted, conveyed to the governor in certain instructions under Our sign manual and signet, bearing date the 22nd day of March, 1879, until otherwise provided by Us, and to such further instructions under Our sign manual and signet as may be hereafter addressed to the governor in that behalf, but no law enacted by the governor, with the advice and consent of the council, shall be invalid by reason that in the enactment thereof any such instructions were not duly observed.

Rules to be observed by council.

Royal instructions, 22nd March, 1879, &c.

XLVII. Subject to the provisions of these presents, and such instructions as aforesaid, the council may make standing rules and orders for the regulation of its own proceedings, and until any such rules and orders have been made the standing rules and orders of the now existing council shall remain in force, and apply, so far as the same are applicable thereto, to the council hereby constituted.

Power to make standing orders.

Existing standing orders to remain in force until new orders made.

XLVIII. The sessions of the council shall be held at such times and places as the governor shall from time to time by proclamation appoint. There shall be at least one session of the council in every year, and there shall not be an interval of twelve months between the last sitting in one session and the first sitting in the next session. The first session shall be held within six months after the proclamation of these presents in the colony.

Sessions of council.

XLIX. The governor may at any time by proclamation prorogue or dissolve the council.

Governor may prorogue or dissolve council.

L. The governor shall dissolve the council at the expiration of five years from the date of the return of the first writs at the last preceding general election, if it shall not have been sooner dissolved.

Duration of

LI. The first general election of members of the council shall be held at such time, not more than three months after the proclamation of these presents in the colony, as the governor shall by proclamation appoint, and a general election shall be held within two months after every dissolution of the council, at such time as the governor shall in like manner appoint.

Times of first and subsequent general elections.

LII. In these presents—

Interpretation.

“The colony” means the Island of Mauritius and its dependencies.

“The council” means the council of government as hereby constituted.

"The governor" means the person for the time being lawfully administering the government of the colony.

"The public seal" means the public seal of the colony.

"The Gazette" means the Mauritius Government Gazette.

"Minister of religion" means any clergyman, minister, priest, or other person who exercises spiritual functions or performs the offices of religion for or in respect to any Christian or other church, community, or body within the colony.

Revocation of so much of the said letters patent of the 22nd day of March, 1879, as relates to the constitution and functions of the council.

LIII. From and after the date of the return of the first writs for the election of members of the council hereby constituted, so much of Our said letters patent of the 22nd day of March, 1879, as relates to the constitution and functions of the council (namely, the seventh and eighth articles thereof) shall cease to be in force,* but without prejudice to anything lawfully done thereunder.

Reserves power to revoke, alter, or amend letters patent, and to make laws.

LIV. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority to revoke, alter, or amend these Our letters patent as to Us or them shall seem fit; and nothing herein contained shall affect Our or their undoubted right, by and with the advice and consent of Parliament, or with the advice of Our or their Privy Council to make from time to time all such laws as may to Us or them appear necessary for the peace, order, and good government of the colony.

Publication of letters patent.

LV. And We do further direct and enjoin that these Our letters patent shall be read and proclaimed† at such place or places as Our said governor shall think fit within Our said Colony of Mauritius.

In witness whereof We have caused these Our letters to be made patent. Witness Ourselves at Westminster, the sixteenth day of September, in the forty-ninth year of Our reign.

By warrant under the Queen's sign manual.

Muir Mackenzie.

* The remainder of these letters patent which regulate the office of governor are printed at p. 1 above.

† These letters patent were proclaimed October 30, 1885.

2. Courts of Justice.

ORDER IN COUNCIL DATED JANUARY 31, 1831, MAKING BETTER PROVISION FOR THE ADMINISTRATION OF JUSTICE IN MAURITIUS, AS AMENDED BY ORDER IN COUNCIL, DATED DECEMBER 12, 1894.*

At the Court at St. James's, the 13th of April, 1831.

Present :

The King's Most Excellent Majesty in Council.

Whereas it is necessary to make provision for the better administration of justice in His Majesty's Island of Mauritius and its dependencies, His Majesty doth therefore, by and with the advice of His Privy Council, order, and it is hereby ordered, that His Majesty's Supreme Court of Civil and Criminal Justice within the said colony, called the Cour d'Appel, shall henceforth be holden by and before three judges only, and no more ; and that the chief or senior judge of the said court shall henceforth bear the title of chief judge and first president ; and that the second of the said judges shall henceforth be called and bear the title of vice-president ; and that the third of the said judges shall henceforth be called and bear the title of assistant judge of the said court : And it is further ordered, that His Majesty's court in the said island, called the Tribunal de Premiere Instance, shall henceforth be holden by and before, and shall consist of one judge, to be called the president of the said tribunal, and one other judge, to be called a judge suppléant : And it is further ordered, that in case any judge of either of the said courts should, by reason of any such lawful recusation as hereinafter mentioned, or by sickness, absence, suspension, resignation, or any other cause, be unable to perform the duties of such his office, it shall be lawful for the governor of the said colony to complete the number of judges of such court, by appointing, in His Majesty's name and on His behalf, some proper person to act as and be a judge of such court during such vacancy, or until His Majesty's pleasure shall be known : And it is hereby further ordered, that if in any criminal case the law which is now or hereafter shall be in force within the said island and its dependencies, shall require the presence in either of the said tribunals of a greater number of judges than are hereinbefore mentioned, then and in every such case it shall be lawful for the governor of the said colony, in His Majesty's name and on His behalf, to appoint such an additional number of judges for any such special occasion as may be necessary to complete the whole number of judges so required by

* This Amending Order is printed at length in Statutory Rules and Orders, 1899, p. 1791. See also the Order in Council of October 23, 1851, as to the Cour d'Appel, printed at p. 25 below.

law; but all appointments which may be so made shall endure so long only as may be necessary to provide for any such emergency, and shall be renewed from time to time as occasion may require: And whereas on the 17th day of February, 1830, the governor of the said island of Mauritius, with the advice of the council of government thereof, made an ordinance, bearing date on the day and year last aforesaid, intituled "An Ordinance for the establishing of a Court composed of His Excellency, to judge certain prises à parte et recusations," directed against the Court of Appeal "in this colony." Now, it is further ordered that the said ordinance shall be, and the same is hereby confirmed and allowed, and that any recusation which may hereafter be made of any judge of either of the said tribunals, shall be heard, tried, adjudged, and determined in the manner provided by the said ordinance, and not otherwise: And it is hereby further ordered, that all and every the powers, authorities, and jurisdictions heretofore vested in the judges of the said tribunals respectively, or in a majority of them, shall continue and be vested in the judges hereinbefore mentioned, or in the majority of them: provided nevertheless, and it is further ordered, that in all cases in which the court of vice-admiralty of the said colony hath jurisdiction, whether by virtue of any Act of Parliament or by virtue of the commission of the judge of the said court, such jurisdiction shall be exclusive, and that it shall not be competent for the said Cour d'Appel or for the said Tribunal de Premiere Instance to hear, decide or take cognizance of any such case; and that if, in any suit or action or other proceeding depending in the said Cour d'Appel or in the said Tribunal de Premiere Instance, it shall be made to appear that the question arising in any such action, suit or proceeding is within the jurisdiction or competency of the said court of vice-admiralty, then and in every such case the said Tribunal de Premiere Instance or the said Cour d'Appel, as the case may be, shall declare itself incompetent: And it is further ordered that the office of grand juge, commissaire de justice of the said island of Mauritius, is and shall be abolished: And it is further ordered, that in all civil cases depending before the said Cour d'Appel or the said Tribunal de Premiere Instance, the procureur-general of the said island, or his substitutes, are and shall be relieved from the duty heretofore incumbent on them of making their conclusions for the assistance of the said tribunals: And it is further ordered that no judge of the said Cour d'Appel, nor the judge of the said Tribunal de Premiere Instance, nor the suppléant of the said tribunal, nor the procureur-general of the said island, nor the advocate-general thereof, nor the judge of the court of vice-admiralty, nor any surrogate of such judge, shall be the owner of any slave, nor be the proprietor of or have any share or interest in any land cultivated by the labour of slaves, either directly or by any person or persons as a trustee or trustees for him; and each of the

the said several officers is hereby declared incompetent to be or act as the manager, overseer, agent or attorney of, for or upon any plantation or estate within the said island or its dependencies; provided nevertheless, that nothing herein contained shall prevent any such officer as aforesaid from hiring for and employing in the domestic service of himself, or any members of his family, any number of slaves, if it shall be first made to appear by such officer to the satisfaction of the governor of the said island that it is not in his power to hire free persons to perform such domestic services: And it is further ordered that there shall be in the town of Port Louis in the said island, a petit court, to be holden by a single judge, to be called the Juge de Paix of the said town, for the decision of all civil causes of small amount arising within the said island, and for the trial of all crimes and offences of a low degree committed therein, and that from the judgments, sentences and orders of the said petit court, no appeal shall lie to any other tribunal or judge in the said island or elsewhere; and that there shall also be in any one or more of the dependencies of Mauritius, which the governor of the said island, with the advice of the council of government thereof, may select, a petit court to be holden in like manner by a single judge, to be called the Juge de Paix of such dependency, for the decision of all civil cases of small amount arising therein, and for the trial of all crimes and offences of a low degree which may be there committed; and that the governor of Mauritius, with the advice and consent of the council of government of the said island, shall by any ordinances to be from time to time for that purpose made, define and limit the extent of the jurisdiction, both civil and criminal, of any such petit court, and fix and regulate the forms of proceeding, the rules of practice, and the nature of the process to be observed therein respectively: And it is hereby further ordered that it shall and may be lawful for any person or persons, being a party or parties to any civil suit or action depending in the said Cour d'Appel of the said island of Mauritius, to appeal to His Majesty in Council, His heirs and successors, or His or their Privy Council, against any final judgment, sentence, or decree of the said court, or against any rule or order made in any such civil suit or action having the effect of a final or definitive sentence, and which appeals shall be made subject to the rules, regulations, and limitations following, that is to say, in case any such judgment, decree, order or sentence shall be given or pronounced for or in respect of any sum or matter at issue above the amount or value of ten thousand rupees (Rs. 10,000),* or in case such judgment, decree, order or sentence shall involve directly or indirectly any claim, demand, or question to or respecting property, or any civil right, amounting to or of the value of ten thousand rupees (Rs. 10,000),* or in case the same shall affect the right or

* "10,000 rupees" was substituted for "1,000*l.* sterling" by order, 1894.

alleged right of any person to freedom, the person or persons feeling aggrieved by any such judgment, decree, order or sentence of the said Cour d'Appel, may within 14 days next after the same shall have been made, pronounced or given, apply to the said Cour d'Appel by petition, for leave to appeal therefrom to His Majesty, His heirs and successors, or His or their Privy Council; and in case such leave to appeal shall be prayed by the party or parties who is or are directed to pay any sum of money, or perform any duty, the said Cour d'Appel shall and is hereby empowered either to direct that the judgment, decree, order or sentence appealed from shall be carried into execution, or to direct that the execution thereof shall be suspended pending the said appeal, as to the said court may in each case appear the most consistent with real and substantial justice; and in case the said Cour d'Appel shall direct such judgment, decree, order or sentence to be carried into execution, the person or persons in whose favour the same shall be given shall before the execution thereof enter into good and sufficient security, to be approved by the said court, for the due performance of such judgment or order as His Majesty, His heirs and successors, shall think fit to make thereupon; or in case the said Cour d'Appel shall direct the execution of any such judgment, decree, order or sentence to be suspended pending any such appeal, the person or persons against whom the same shall have been given shall in like manner, and before any order for the suspension of any such execution is made, enter into good and sufficient security, to be approved by the said court, for the due performance of such judgment or order as His Majesty, His heirs and successors, shall think fit to make thereupon: And it is further ordered, that in all cases security shall also be given by the party or parties appellant, to the satisfaction of the said court, for the prosecution of the appeal, and for the payment of all such costs as may be awarded by His Majesty, His heirs and successors, to the party or parties respondent; and if such last-mentioned security shall be entered into within three months from the date of such petition for leave to appeal, then, and not otherwise, the said Cour d'Appel shall allow the appeal, and the party or parties appellant shall be at liberty to prefer and prosecute his, her or their appeal to His Majesty, His heirs and successors, in His or their Privy Council, in such manner and under such rules as are observed in appeals made to His Majesty in Council from His plantations and colonies: provided nevertheless, and it is further declared and ordered, that nothing herein contained shall extend or be construed to extend, to take away, diminish or derogate from the undoubted power and authority of His Majesty, His heirs and successors, in His and their Privy Council, and upon the humble petition at any time of any person or persons aggrieved by any judgment or determination of the said Cour d'Appel, to admit his, her or their appeal therefrom upon such other terms, and upon and subject

to such other limitations, restrictions and regulations, as His Majesty, His heirs and successors, shall in any such special case think fit to prescribe: And it is further ordered, that in all cases of appeal allowed by the said Cour d'Appel, or by His Majesty, His heirs and successors, the said court shall certify and transmit to His Majesty, His heirs and successors, in His or their Privy Council, a true and exact copy of all proceedings, judgments, decrees and orders had or made, and of all evidence received or given in such causes so appealed, so far as the same have relation to the matter of appeal; such copies to be certified under the seal of the said court: And it is further ordered, that the said Cour d'Appel shall in all cases of appeal to His Majesty, His heirs and successors, conform to and execute such judgments and orders as His Majesty, His heirs and successors, shall think fit to make therein, in such and the same manner as any judgment, decree or order of the said Cour d'Appel could or might have been executed. And the Right Honourable the Lord Viscount Goderich, one of His Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

ORDER IN COUNCIL CONFIRMING ORDINANCE No. 2 OF 1850,
PROVIDING THAT THE COUR D'APPEL SHALL BE CALLED
THE SUPREME COURT OF MAURITIUS.

At the Court at Windsor, the 23rd day of October, 1851.

PRESENT:

The Queen's Most Excellent Majesty.
His Royal Highness Prince Albert.

Lord Chancellor	Earl Granville
Lord President	Lord John Russell
Duke of Norfolk	Viscount Palmerston
Marquis of Abercorn	Lord Broughton
Lord Seymour	Mr. Labouchere
Earl of Carlisle	Sir Francis Baring, Bart.

Whereas by Order in Council bearing date the 13th day of April, 1831,* provision was made for the administration of justice in the Colony of Mauritius, and whereas by a further Order in Council bearing date the 26th day of April, 1845, it was ordered that it would be competent to the governor or officer administering the government of the said colony by any law to be made by him with the advice and consent of the legislative council of the said colony, to make provisions for divers matters therein mentioned, any thing in the said first mentioned Order in Council to the contrary notwithstanding, and whereas on the 20th day of March last an

* Printed at p. 21 above.

Ordinance was enacted by the governor of Mauritius, with the advice and consent of the legislative council thereof in the following terms:—

“An ordinance enacted by the governor of Mauritius, with the advice and consent of the government thereof,” entitled No. 2 of 1850, “For altering the organisation of the several courts of justice within this colony”;

Whereas it is expedient to alter and modify the organisation, jurisdiction, and powers of the several courts of justice within this colony;

His Excellency the Governor has ordered and does hereby order:

Court of
Appeal of
Mauritius to
be called the
Supreme
Court.
How to be
composed.

I. Her Majesty's supreme court of civil and criminal justice within the Island of Mauritius and its dependencies, called the “Cour d'Appel,” shall no longer bear the latter appellation; and its appellate jurisdiction, except as herein-after provided, shall cease and determine. It shall be called the “Supreme Court of the Colony of Mauritius,” shall consist of the chief judge and two or more puisne judges, one of whom, on the first nomination, may be chosen from amongst the judges of the dissolved court of first instance, and shall bear on its seal the royal arms, with the words “Supreme Court, Mauritius.”

To have the
powers of the
Court of the
Queen's
Bench in
England.

II. The said supreme court shall have, and is hereby invested with all the powers, authority, and jurisdiction that are possessed and exercised by Her Majesty's Court of Queen's Bench in England.

To be like-
wise a Court
of Equity.

III. The said supreme court shall be a court of equity, and be hereby invested with power, authority, and jurisdiction to administer justice, and to do all acts for the due execution of such equitable jurisdiction, in all cases where no legal remedy is provided by the written law of Mauritius.

Its jurisdic-
tion, its mode
of proceeding.
Master of the
Court.

IV. The said supreme court shall have, and is hereby invested with full original jurisdiction, to hear, conduct, and pass decision, in all civil suits, actions, causes, and any matters that may be brought and may be depending before the said supreme court, and the supreme court and the judges thereof shall sit and proceed to and conduct, and carry on business in the same manner as the said court of Queen's Bench and the judges thereof: And, inasmuch as two judges at least, of the said supreme court, are required to form a quorum for all purposes of the full court, it is hereby ordered that in the event of any difference of opinion between such two judges, the decision of the said court shall be suspended until a third judge shall be present; and the decision of such judges, when unanimous, or of the majority of such three judges

in the case of any difference of opinion, shall, in all cases, be deemed and taken to be the decision of the whole court.

The said court shall have an officer to be styled the master thereof, who shall tax costs, conduct and manage judicial sales, assemblies of relations or of creditors, probate of wills and the matters connected therewith, interdictions, and local examinations, and shall deal with matters of audit, enquiry, and accounts, and generally all such matters as may be referred to him by the judges.*

V. The court of first instance of this colony, and all officers in and connected with that court, are hereby abolished; and all matters, suits, and actions, now depending in the court of first instance, shall be removed and are hereby removed to the said supreme court, to be continued, heard, and decided on by the said supreme court, as if the same had been originally brought into that court by way of appeal, before the supreme court.

Court of First Instance abolished.

All the records, muniments, and proceedings whatsoever of and belonging to the said court of first instance shall be deposited for safe custody in the said supreme court; and all parties concerned may have recourse to the said records and proceedings as to any other records and proceedings of the same supreme court.

VI. The duties heretofore performed by the registrar of the aforesaid court of first instance shall be henceforth performed by the registrar of the supreme court, as far as any such duties shall not have been allotted to other officers.

Registrar of the Court of First Instance to be replaced by that of the Supreme Court.

VII. And the said supreme court shall have such other officers as may be fixed and determined by the judges of the said court, with the approbation of his excellency the governor, with salaries attached thereto, as may be determined by the governor and the legislative council; and the appointment of such officers shall, after the first nomination, be vested in the judges of the said supreme court.

Officers of the Court.

VIII. There shall be within each and every district of this colony one court to be called the district court of such district, which court shall be a court of record, and which shall be holden by and before one magistrate, who shall bear the style and title of district magistrate, such district court shall be a court of civil and criminal jurisdiction in such causes and matters and to such extent as shall be ordained and fixed by any special law.

District Court.

* See also Ordinance 16 of 1865.

Appeals from
the District
Court.

IX. Appeals from the said district courts, either in their civil and criminal jurisdiction, that by any law may be allowed and brought into the supreme court, shall be heard and decided on by any one of the judges of the said supreme court, under the conditions, as to the personal attendance of parties, that may be provided in the law establishing the said district courts.

Jury in civil
matters.

X. And the said supreme court may, in any cause before it, on application of the parties and on its own determination, or without the application of the parties on its own determination, require that the cause may be heard before a jury, and when such proceeding is determined on, the course provided in the law regarding juries shall be followed.

Suits wherein
the subject in
litigation does
not exceed
100/.

XI. Small causes, that is to say, all suits and demands wherein the subject in litigation shall not exceed in value 100/., and which shall not be within the competency of the district magistrate, shall be heard before one judge of the supreme court, who shall have full power to take cognizance of them and determine the same in a summary manner, the summary mode of proceeding in such cases shall be established by the said supreme court and published.

Office of the
Ministère
Public
abolished,
except in
certain cases.

XII. The office and functions of the "Ministère Public" are abolished as far as the attendance of the procureur general or his substitute at the sitting of the supreme court is by the existing law required on pain of nullity; except in any causes where the Crown or the public revenue is concerned and in any matter connected with the civil status of any person, any divorce, guardianship of any minor or interdicted person, or in which the procureur general may, under the existing law, intervene as a party.

The procureur general shall continue to be vested with a superintendence over all ministerial officers, and with the power, on failure by any of them in the discharge of his duty, to move the superior or any competent court for any disciplinary or other measure or penalty imposed by law for such breach of duty.

Appeals
already made.

XIII. The supreme court shall continue to entertain all appeals which would have lain from judgments of the court of first instance given up to the date of the coming into effect of this ordinance, and all appeals and "pours" which may lie from "ordonnances de renvoi," the correctional police court, stipendiary magistrates, and the "Juges des Paix" and their substitutes, until the respective laws that regulate the same shall have been altered by legislative enactments.

XIV. All laws touching the subject of this ordinance ^{Laws repealed.} contrary to the provisions herein contained, shall be and are hereby repealed.

XV. The present ordinance shall take effect from the ^{Promulgation.} day which shall be fixed by a proclamation of the Governor.

Passed in council, at Port Louis, Island of Mauritius, this 20th day of March, 1850.

And whereas the provisions of the said recited ordinance are inconsistent with the said first mentioned Order in Council of the 13th day of April, 1831, and doubts have been entertained whether all of such provisions are authorised by the said further Order in Council of the 26th day of April, 1845 ;

It is therefore hereby ordered by the Queen's Most Excellent Majesty, with the advice of Her Majesty's Privy Council, that the said recited ordinance of the 20th day of March last shall be and the same is hereby ratified, confirmed, and finally enacted, anything in the said first mentioned Order in Council to the contrary notwithstanding ; and that the said ordinance shall take effect from the day which shall have been or which shall be fixed in that behalf by a proclamation of the governor ; and the said first mentioned Order in Council, so far as it is repugnant to or inconsistent with this present Order, or with the ordinance confirmed hereby, shall be, and the same is hereby revoked. Provided always that it shall be lawful for the proper legislative authority for the time being of the said colony of Mauritius to repeal, alter, or amend the ordinance confirmed hereby, in like manner as it is or at any time may be lawful for such legislative authority to repeal, alter, or amend any other ordinance duly enacted in the said colony.

Provided also that all appeals which shall be made to Her Majesty in Council from any sentence, judgment, decree, rule, order, or other act of the said supreme court shall, until otherwise ordered, remain and be made subject to such rules and regulations and limitations as are prescribed by said first mentioned Order in Council.

And the Right Honourable Earl Grey, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

C. C. Greville.

THE MAURITIUS JUDICATURE (SEYCHELLES APPEALS) ORDER
IN COUNCIL, 1903.

[This order is printed under the title "Seychelles."]

MEDICAL PROFESSION.

- | | | |
|---|--|--|
| 1. <i>Medical Practitioner</i> ,
p. 1. | | 2. <i>General Medical Council</i> ,
p. 6. |
|---|--|--|

1. Medical Practitioner.*

ORDER IN COUNCIL, DIRECTING THAT PART II. OF THE MEDICAL ACT, 1886, SHALL APPLY TO THE KINGDOM OF ITALY.

1901. No. 204.

At the Court at St. James's the 9th day of March, 1901.

PRESENT :

The King's Most Excellent Majesty,

Lord President,
Earl of Derby,
Earl of Kintore,
Earl of Ducie,
Earl Roberts,
Viscount Peel,
Lord Wenlock,

Lord Tweedmouth,
Lord James of Hereford,
Lord Heneage,
Sir James Ferguson, Bart.,
Sir Francis Jeune,
Sir Dighton Probyn.

Whereas by the Medical Act, 1886,† it is provided (amongst other things) that His Majesty may from time to time, by Order in Council, declare that the second part of the said Act shall be deemed, on and after a day to be named in such Order, to apply to any foreign country which in His Majesty's opinion affords to the medical practitioners of the United Kingdom such privileges of practising in the said foreign country as to His Majesty may seem just, and from and after the day named in such Order in Council such foreign country shall be deemed to be a foreign country to which the said Act applies, within the meaning of the second part thereof, and that until such Order in Council has been made in respect of any foreign country the said second part of the said Act shall not be deemed to apply to any such country.

And whereas the Kingdom of Italy affords, in His Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in Italy as to His Majesty seem just.

Now, therefore, His Majesty doth hereby, by and with the advice of His Privy Council, order, direct, and declare that the second part of the Medical Act, 1886,* shall be deemed to apply to the Kingdom of Italy.

A. W. FitzRoy.

* As to "the appointed day" under the Act of 1886, see Order printed at p. 11 below.

† 49 & 50 Vict. c. 48.

ORDERS IN COUNCIL APPLYING PART II. OF THE MEDICAL
ACT 1886,* TO BRITISH POSSESSIONS.

(a) Ceylon.

At the Court at Osborne House, Isle of Wight, the 29th day of
December, 1887.

PRESENT:

The Queen's Most Excellent Majesty
Lord President,
Sir Augustus Paget,
Mr. Ritchie.

Whereas by the Medical Act, 1886,* it is provided (amongst other things) that Her Majesty may from time to time by Order in Council declare that the second part of the said Act shall be deemed, on and after a day to be named in such Order, to apply to any British possession, which in Her Majesty's opinion affords to the medical practitioners of the United Kingdom such privileges of practising in the said British possession as to Her Majesty may seem just, and from and after the day named in such Order in Council such British possession shall be deemed to be a British possession to which the said Act applies, within the meaning of the second part thereof, and that until such Order in Council has been made in respect of any British possession the said second part of the said Act shall not be deemed to apply to any such possession.

And whereas Ceylon is a British possession within the meaning of the said Act, and affords, in Her Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in Ceylon as to Her Majesty seem just.

Now, therefore, Her Majesty doth hereby, by and with the advice of Her Privy Council, order, direct, and declare that, on after the first day of January, in the year of Our Lord One thousand eight hundred and eight-eight, the second part of the Medical Act, 1886,* shall be deemed to apply to Ceylon.

C. L. Peel.

* 49 & 50 Vict. c. 48.

(b) India.

At the Court at Windsor, the 9th day of May, 1892.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,

Sir Walter Barttelot, Bart.

Lord Steward,

Mr. Forwood.

Earl of Yarborough.

Whereas [*Here follows the first recital to the Order relating to Ceylon, printed at p. 2 above.*]

And whereas India is a British possession within the meaning of the said Act, and affords, in Her Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in India as to Her Majesty seem just.

Now, therefore, Her Majesty doth hereby, by and with the advice of Her Privy Council, order, direct, and declare that, on and after the 1st day of July, in the year of our Lord One thousand eight hundred and ninety-two, the second part of the Medical Act, 1886,* shall be deemed to apply to India.

Herbert M. Suft.

(c) Malta.

1901. No. 797.

At the Court at St. James's, the 26th day of September, 1901.

PRESENT :

The King's Most Excellent Majesty.

Lord George Hamilton,

Mr. St. John Brodrick,

Mr. Chamberlain,

Sir Charles Scott.

Whereas [*Here follows the first recital to the Order relating to Ceylon, printed at p. 2 above, with the substitution of "His Majesty" for "Her Majesty" and the insertion of "that" before "from and after."*]

And whereas the Island of Malta is a British possession within the meaning of the said Act, and affords, in His Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in the said island as to His Majesty seem just.

Now, therefore, His Majesty doth hereby, by and with the advice of His Privy Council, order, direct, and declare that on and after the First day of October, 1901, the second part of the Medical Act, 1886,* shall be deemed to apply to the Island of Malta.

A. W. FitzRoy.

* 49 & 50 Vict. c. 48.

(d) New South Wales.

At the Court at Windsor, the 21st day of March, 1890.

PRESENT :

The Queen's Most Excellent Majesty,	
Lord President,	Earl of Coventry,
Duke of Rutland,	Sir William Field.
Lord Chamberlain,	

Whereas . . . [*Here follows the first recital to the Order relating to Ceylon, printed at p. 2 above.*]

And whereas Her Majesty's Colony of New South Wales in Australia is a British possession within the meaning of the said Act, and affords, in Her Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in the said Colony as to Her Majesty seem just :

Now, therefore, Her Majesty doth hereby, by and with the advice of Her Privy Council, order, direct, and declare that, on and after the first day of April, One thousand eight hundred and ninety, the second part of the Medical Act, 1886,* shall be deemed to apply to Her Majesty's Colony of New South Wales in Australia.

C. L. Peel.

(e) New Zealand.

At the Court at Windsor, the 25th day of March, 1887.

PRESENT :

The Queen's Most Excellent Majesty,
 Lord President,
 Marquess of Lothian,
 Lord Steward.

Whereas . . . [*Here follows the first recital of the Order relating to Ceylon, printed at p. 2 above with the substitution of "We" "Our" and "Us" for "Her Majesty," "Her Majesty's," and "Her Majesty."*]

And whereas New Zealand is a British possession within the meaning of the said Act, and affords, in Our opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in New Zealand as to Us seem just under and by virtue of the provisions of an Act of the General Assembly of New Zealand in Parliament assembled, and intituled the Medical Practitioners Registration Act, 1869.

Now therefore, We do hereby, by and with the advice of Our Privy Council, order, direct, and declare that, on and after the first day of June, in the year of our Lord One thousand eight hundred and eighty-seven, the second part of the Medical Act, 1886,* shall be deemed to apply to New Zealand.

C. L. Peel.

* 49 & 50 Vict. c. 48.

(f) South Australia.

At the Court at Windsor, the 23rd day of February, 1891.

PRESENT:

The Queen's Most Excellent Majesty,

Archbishop of York,
Lord President,
Marquess of Salisbury,
Lord Chamberlain,

Earl of Limerick,
Lord Windsor,
Sir C. Butt.

Whereas by the Medical Act, 1886,* it is provided (amongst other things) that Her Majesty may from time to time by Order in Council declare that the second part of the said Act shall be deemed, on and after a day named in such Order, to apply to any British possession, which in the opinion of Her Majesty affords to the registered medical practitioners of the United Kingdom such privileges of practising in the said British possession as to Her Majesty may seem just, and that from and after the day named in such Order in Council such British possession shall be deemed to be a British possession to which the said Act applies, within the meaning of the second part thereof, but until such Order in Council has been made in respect of any British possession the said second part of the said Act shall not be deemed to apply to any such possession.

And whereas the province of South Australia is a British possession within the meaning of the said Act, and affords to the registered medical practitioners of the United Kingdom, under and by virtue of certain Acts of the Parliament of the said province of South Australia, namely, the Medical Act, 1880, and the Medical Act Amendment Act, 1889, such privileges of practising in the said province as to Her Majesty seem just.

Now, therefore, Her Majesty doth hereby, by and with the advice of Her Privy Council, order, direct, and declare that, on and after the first day of April, One thousand eight hundred and ninety-one, the second part of the Medical Act, 1886,* shall be deemed to apply to the province of South Australia.

C. L. Peel.

* 49 & 50 Vict. c. 48.

(g) Victoria.

At the Court at Windsor, the 21st day of March 1890

PRESENT:

The Queen's Most Excellent Majesty,

Lord President,
Duke of Rutland,
Lord Chamberlain,

Earl of Coventry,
Sir William Field.

Whereas . . . [*Here follows the first recital of the Order relating to Ceylon, printed at p. 2 above.*]

And whereas the Colony of Victoria in Australia is a British possession within the meaning of the said Act, and affords, in Her Majesty's opinion, to the registered medical practitioners of the United Kingdom such privileges of practising in such Colony of Victoria as to her seem just, under and by virtue of the provisions of an Act of the Parliament of Victoria, and intituled the "Medical Practitioners Statute, 1865":

Now, therefore, Her Majesty doth hereby, by and with the advice of Her Privy Council, order, direct, and declare that, on and after the first day of April, in the year of our Lord One thousand eight hundred and ninety, the second part of the Medical Act, 1886,* shall be deemed to apply to the Colony of Victoria in Australia.

C. L. Peel.

2. General Medical Council.

ORDER OF COUNCIL MAKING REGULATIONS FOR THE CONDUCT OF ELECTIONS OF MEMBERS OF THE GENERAL MEDICAL COUNCIL.

At the Council Chamber, Whitehall, the 27th day of August, 1886.

PRESENT:

Lord President,
Sir Henry Holland, Bart.

Whereas it is provided by Section 8 of the Medical Act, 1886,* that the election of members of the General Council of Medical Education and Registration of the United Kingdom, representing the registered medical practitioners resident in the several parts of the United Kingdom (in the said section

* 49 & 50 Vict. c. 48.

and in this Order referred to as "direct representatives") shall (subject as in the said section mentioned) be conducted in such manner as may be provided by regulations to be made by the Privy Council.

And whereas it is further provided by the said section that for the purpose of the first election of direct representatives the returning officer shall, in the course of such period of seven days (ending not later than the fifteenth day of November next succeeding the passing of the said Act) as the Privy Council may appoint issue his precept as in the said section mentioned to the branch council in each part of the United Kingdom.

Now, therefore, in pursuance of the said Section 8 of the Medical Act, 1886,* their Lordships have made the regulations contained in the schedule to this Order, and do hereby order and direct that all elections of direct representatives shall be conducted in accordance with the said regulations. .

And their Lordships do hereby further order and direct that for the purpose of the first election of direct representatives the returning officer shall in the course of the period of seven days ending with the thirteenth day of November next, issue his precept to the branch council in each part of the United Kingdom as required by the said section.

C. L. Peel.

Schedule.

Regulations for the Conduct of Elections under Section 8 of the Medical Act, 1886.

1. The returning officer shall fix the last day on which nomination papers are to be sent in, and at least fourteen days before the day so fixed shall cause a notice of the election to be published, specifying the number of persons to be elected, the place where the nomination papers are to be sent in, and the last day on which they are to be sent in.

The notice shall be published in two or more newspapers circulating in the part of the United Kingdom in which the election is to be held, and shall be, as nearly as may be, in the form marked A. in the appendix to these regulations, or to the like effect.

2. Before the last day fixed for the sending in of nomination papers, the returning officer shall issue his precept to the branch council for that part of the United Kingdom in which the election is to be held requiring the said branch council to cause a representative or representatives to be elected by the registered medical practitioners resident in that part of the United Kingdom within twenty-one days after the receipt of the said precept.

The said precept shall be as nearly as may be in the form marked B. in the appendix to these regulations, or to the like effect, and shall be sent, by post or otherwise, to the registrar of the said branch council.

3. Each candidate for election shall be nominated by a separate nomination paper signed by not fewer than twelve registered medical practitioners resident in that part of the United Kingdom in which the election is to be held.

4. Every nomination paper shall state the name, address, and registered qualification or qualifications of the person nominated, and also the addresses and registered qualifications of the persons signing such paper, and shall be, as nearly as may be, in the form marked C. in the appendix to these regulations, or to the like effect.

5. Any person entitled to vote at the election may sign the nomination paper of a candidate or of any number of candidates not exceeding the number to be elected.

6. Every nomination paper shall, on or before the last day fixed for the sending in of nomination papers be delivered by post or otherwise at the appointed place, and shall be accompanied by a declaration in writing signed by the person nominated, acknowledging that such person consents to be nominated.

7. If the number of persons so nominated as aforesaid does not exceed the number to be elected, such persons (if duly qualified) shall be deemed to be elected, and shall be so certified in writing by the branch council to the returning officer.

8. If the number so nominated exceeds the number to be elected, the branch council of the part of the United Kingdom in which the election is to be held shall cause voting papers to be prepared, containing the names, addresses, and registered qualifications of all the persons nominated, and stating the last day on which voting papers may be returned, and the place to which they are to be returned.

Voting papers shall be as nearly as may be in the form marked D. in the appendix to these regulations, or to the like effect.

9. The branch council shall, seven days at least before the last day fixed for the return of voting papers, cause a voting paper to be forwarded by post to each registered medical practitioner resident in the part of the United Kingdom in which the election is held, at his registered address. Each voter shall be entitled to receive one voting paper and no more; and votes shall not be given except upon the voting papers provided by the branch council.

10. Each voter shall write his initials in the voting paper delivered to him against the name or names of the person or persons (not exceeding the number of persons to be elected) for whom he intends to vote, and shall sign such voting paper, and shall append to his signature his address and registered qualification or qualifications; and such voting paper shall be returned by post or otherwise, to the appointed place, on or before the last day fixed for the return of voting papers. Every voting paper in respect of which any requirement of this regulation has not been complied with, or which is not received at the appointed place on or before the last day fixed for the return of voting papers, shall be invalid.

11. The branch council, immediately after the last day fixed for the return of voting papers, shall cause the validity of the votes to be ascertained by an examination of the medical register and by such other evidence (if any) as they may think necessary, and shall cause such of the votes as are found to be valid, and to have been duly returned, to be counted, and the number of such votes given for each candidate to be ascertained.

12. The candidate, or the candidates to the number to be elected, who being duly qualified has or have received the greatest number of votes, shall be deemed to be elected, and shall be so certified in writing by the branch council to the returning officer.

13. The returning officer shall forthwith give to every person certified by the branch council to be elected notice of his election.

*Appendix.***FORM A.***(Notice of Election.)*

Medical Act, 1886.
(49 & 50 Vict. c. 48.)

Notice is hereby given that, pursuant to the Medical Act, 1886, an election of* member of the General Council of Medical Education and Registration of the United Kingdom, to represent the registered medical practitioners resident in †, is about to be held.

Every registered medical practitioner is qualified to be nominated as a candidate.

Each candidate must be nominated by a separate nomination paper.

Every registered medical practitioner resident in † is entitled to take part in nominating* candidate.

Every nomination paper must state the name, address, and registered qualification, or qualifications of the candidate nominated; it must be signed by not fewer than twelve registered medical practitioners, residing in † as nominating such candidate; and the address and registered qualification or qualifications of each one so signing must be appended to his signature.

Every nomination paper, accompanied by a declaration in writing signed by the person nominated, acknowledging that he consents to be nominated, must be delivered, by post or otherwise, on or before the day of, addressed to at †, where forms of nomination papers may, on application by post or otherwise, be obtained.

Signed

Returning Officer.

* Here insert number of representatives to be elected.

† Here insert England, Scotland, or Ireland, as the case may be.

‡ Here insert name and address of branch registrar.

FORM B.*(Precept of Returning Officer.)*

Medical Act, 1886.
(49 & 50 Vict. c. 48.)

To the branch council for*

In pursuance of the above-mentioned Act you are hereby required within twenty-one days after the receipt of this precept to cause † representatives to be elected to the General Council of Medical Education and Registration of the United Kingdom by the registered medical practitioners resident in*

Herewith are transmitted to you copies of the regulations made by the Privy Council in pursuance of the above-mentioned Act for the conduct of elections held thereunder. The election required by this precept to be held must be conducted in accordance with such regulations.

Signed

(Date.)

Returning Officer.

* Here insert England, Scotland, or Ireland, as the case may be.

† Here insert number of representatives to be elected.

MEDICAL PROFESSION.

FORM C.

(Form of Nomination Paper.)

We, the undersigned, being registered medical practitioners resident in* , hereby nominate † of ‡ a registered medical practitioner, as a proper person to be elected to the General Council of Medical Education and Registration of the United Kingdom by the registered medical practitioners resident in*

Signed §

(Date.)

* Here insert England, Scotland, or Ireland, as the case may be.

† Here insert name of person nominated, in full.

‡ Here insert address and registered qualification or qualifications of persons nominated.

§ To be signed by not fewer than twelve registered medical practitioners, to the signature of each one of whom his address and registered qualification or qualifications must be appended.

FORM D.

(Form of Voting Paper.)

Medical Act, 1886.
(49 & 50 Vic. c. 48.)

Election to the General Council of Medical Education and Registration
of the United Kingdom by Registered Medical Practitioners resident
in *

Voting Paper.

No. of Voting Paper.	Name and Address of Voter.

* Here insert England, Scotland, or Ireland, as the case may be.

Initials of Voter against Name[s] of Person[s] for whom he intends to Vote.	Names of Persons nominated.	Residence of Persons nominated.	Registered Qualifications of Persons nominated.
	A. B.		
	C. D.		
	E. F.		
	G. H.		

I vote for the person[s] in the above list against whose name[s] my initials are placed.

(Signed) _____

Of _____

(Registered qualification or qualifications) _____

Directions of the Voter.

The voter is entitled to vote for * candidate, and no more.
The voter must write his initials against the name of every † person for whom he votes, and must subscribe in full his name, address, and registered qualification or qualifications.

If the voter writes his initials against the names of more than * candidate[s], or otherwise fails to comply with any of these directions, the voting paper will be cancelled.

This paper must be returned by post or otherwise, under cover, addressed ‡ , and must be received there on or before the day of .

* Here insert name of person nominated in full.

† If only one representative is to be elected, substitute "the" for "every."

‡ Here insert name of branch registrar, and address to which voting papers are to be sent.

ORDER OF COUNCIL FIXING JUNE 30, 1887, AS THE APPOINTED DAY WITHIN THE MEANING OF THE MEDICAL ACT, 1886.*

At the Council Chamber, Whitehall, the 17th day of May, 1887.

PRESENT :

Lord President,
Sir William Hart-Dyke.

Whereas by the Medical Act, 1886,* it is provided that in the said Act the expression "the appointed day" means the 1st day of June, 1887, or such other day in June, 1887, as may be appointed by the Privy Council :

And whereas by the said Act it is further provided that all powers vested in the Privy Council by the said Act may be exercised by any two or more of the Lords and others of Her Majesty's most Honourable Privy Council :

And whereas it has been represented that it is expedient that the 30th day of June, 1887, should be appointed as "the appointed day" :

It is hereby ordered and declared by the Privy Council that the 30th day of June, 1887, shall be "the appointed day" within the true intent and meaning of the Medical Act, 1886.*

C. D. Peel.

* 49 & 50 Vict. c. 48.

MERCHANDISE MARKS.

- | | |
|------------------------------------|--|
| 1. <i>Detention and Forfeiture</i> | 2. <i>Watch Cases</i> , p. 8. |
| of Goods, p. 1. | 3. <i>Official Prosecutions</i> , p. 13. |

1. Detention and Forfeiture of Goods.

REGULATIONS, DATED DECEMBER 1, 1887, MADE BY THE COMMISSIONERS OF CUSTOMS UNDER SECTION 16 OF THE MERCHANDISE MARKS ACT, 1887.

Whereas by the Merchandise Marks Act, 1887* (hereinafter called "the Act"),

After various provisions against the sale, or exposure for sale, or possession for sale, trade, or manufacture, of goods with forged trade marks or false trade descriptions, or trade marks falsely applied to them :

And after defining (amongst other things) the expression "trade mark" in manner therein set forth, with reference to "The Patents, Designs and Trade Marks Act, 1883,"† and the law of indicated British Possessions and Foreign States.

And after defining the expression "trade description" as any description, statement or other indication, direct or indirect, as to number, quantity, measure, gauge, or weight of goods, as to place or country in which any goods were made or produced, as to the mode of manufacturing or producing any goods, or as to the material of which any goods are composed, or as to any goods being the subject of any existing patent, privilege, or copyright.

And after defining the expressions "false trade description," "goods," "apply," and "falsely apply" ;

It is provided by Section 16 that,

- (1.) All such goods as above-mentioned, and
- (2.) All goods of foreign manufacture, bearing any name or trade mark, being or purporting to be, the name or trade mark of any manufacturer, dealer, or trader, in the United Kingdom, unless such name or mark be accompanied by definite indication of the country in which such goods were made or produced,

shall be prohibited to be imported, and, subject to the provisions of the said section, shall be included among goods prohibited to be imported, as if they were specified in Section 42 of "The Customs Consolidation Act, 1876."‡

* 50 & 51 Vict. c. 28. † 46 & 47 Vict. c. 57. ‡ 39 & 40 Vict. c. 36.

And whereas by Section 18 of the Act, after authorizing the continued use of trade descriptions lawfully and generally applied to goods of the particular class, or manufactured by a particular method, to indicate such class or method, it is provided that, where such trade description includes the name of a place or country calculated to mislead as to where the goods were actually made or produced, such goods not having been actually made or produced there, the said reciting section should not apply (and, consequently, goods so marked would be prohibited) unless there be added to the trade description, immediately before or after the name of the place or country, in an equally conspicuous manner with that name, the name of the place or country in which the goods were actually made or produced, with a statement that they were made or produced there.

And whereas it is also provided by the said Section 16 that the Commissioners of Customs (hereinafter called "the Commissioners") may, from time to time, make, revoke, and vary regulations, either general or special, respecting the detention and forfeiture of goods, the importation of which is prohibited as hereinbefore mentioned, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may by such regulations determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of the said section, and the mode of verification of such evidence.

And it is further provided by the said last-mentioned section:—

That before detaining goods or taking proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners may require that such regulations as aforesaid shall be complied with, and satisfy themselves as to the liability of the goods to forfeiture.

That such regulations may apply to all goods, the importation of which is prohibited by the said section, or different regulations may be made respecting different classes of such goods.

And also that the regulations may provide for the informant reimbursing the Commissioners all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention.

And it is also provided, by the said section, that Section 2 of the Revenue Act, 1883, shall be repealed from a day to be fixed by regulations under the said reciting section, such day not being later than the 1st day of January, 1888, without prejudice to anything done or suffered thereunder.

And whereas Section 2 of the Revenue Act, 1883,* is the law under, and by virtue of which, goods of foreign manufacture infringing the proprietary rights of British subjects in names, addresses, and trade marks, or bearing or having upon them, under certain conditions, the name of a place in or a part of the United Kingdom, are, at the present time, detected and stopped by officers of Customs acting on their own observation and responsibility, under directions laid down by the Commissioners, and without the requirement of previous information, security, or other conditions.

Now, therefore, the Commissioners under and by virtue of the hereinbefore recited power in that behalf, hereby make and require to be complied with the following regulations, viz. :—

1. Goods prohibited to be imported as hereinbefore recited, having applied to them forged trade marks, false trade descriptions, or marks, names, or descriptions otherwise illegal, which, upon examination, are detected by the officers of Customs, are to be detained by them without the requirement of previous information.

2. In giving information with a view to detention an informant must fulfil the following conditions, viz. :—

- (i.) He must give to the collector or superintendent, or the chief officer of customs of the port (or sub-port) of expected importation, notice in writing, stating,
 - the number of packages expected, as far as he is able to state the same ;
 - the description of the goods by marks or other particulars sufficient for their identification ;
 - the name or other sufficient indication of the importing ship ;
 - the manner in which the goods infringe the Act :
 - the expected day of the arrival of the ship.

- (ii.) He must deposit with the collector or other officer as aforesaid a sum sufficient, in the opinion of that officer, to cover any additional expense which may be incurred in the examination required by reason of his notice.

3. If, upon arrival and examination of the goods, the officer of Customs is satisfied that there is no ground for their detention, they will be delivered. If he is not so satisfied, he will decide either to detain the goods, as in a case of detention upon ordinary examination, or to require security from the informant for reimbursing the Commissioners or the officers all expenses and damages incurred in respect of the detention made on his information and of any proceedings consequent thereon.

* 46 & 47 Vict. c. 55.

4. The security thus required must be an immediate *ad valorem* deposit of ten pounds per cent. on the value of the goods, as fixed by the officer from the quantities or value shown by the entry; and, also, subsequently a bond to be completed within four days in double the value of the goods, with two approved sureties. The *ad valorem* deposit will be returned upon completion of the bond, and will not be required if, as an alternative when time permits, the informant prefers to give a like bond before examination upon estimated value of the goods declared to by him under statutory declaration. If the security is not duly given as above required there will be no further detention of the goods.

5. In the above regulations the words "officer of Customs" mean an officer acting under general or special direction of the Commissioners, and the words "value of the goods" mean value irrespective of duty.

6. The "notice" and "bond" required as above shall be in the forms contained in the schedule to these regulations, or in such other forms as the Commissioners may from time to time order and direct.

7. The security taken under these regulations will be given up at the times following, that is to say:

Where given before examination, and if no detention forthwith.

Where given on detention:—

If the forfeiture is completed, either by lapse of time or ultimate condemnation by a court of justice, then on such completion of forfeiture.

If the forfeiture is not completed, then

If the goods are released by the Commissioners, and no action or suit has been commenced against them, or any of their officers, in respect of the detention, then at the expiration of three months from the time of detention; or, if the goods are released for failure of proceedings taken for the forfeiture and condemnation thereof upon information under Section 207 of "The Customs Consolidation Act, 1876," and no action or suit has been commenced against the Commissioners, or any of their officers, in respect of the detention, then at the expiration of three months from the trial of such information.

If within such periods as aforesaid any such action or suit as aforesaid has been commenced, then upon the ultimate conclusion of such action or suit, and the fulfilment of the purpose for which the security was given.

8. These regulations apply to transshipment and transit goods as well as to goods landed to be warehoused, or for home consumption.

Regulations under the Merchandise Marks Act, 1887. 5

9. The 1st day of January, 1888, is, by these "Regulations," fixed as the day from which Section 2 of the "Revenue Act, 1883,"* shall be repealed, subject to the terms of the recited Act; and these regulations will take effect from the date of such repeal.

Charles du Cane,
H. Murray,
Horace Seymour, } Commissioners of
H.M. Customs.

Custom House, London,
1st December, 1887.

* 46 & 47 Vict. c 55.

Schedule.

NOTICE.

THE MERCHANDISE MARKS ACT, 1887.

To the Collector, Superintendent,
or Chief Officer of Customs at
the Port* of

* Or Sub Port,

† Describe the goods, number of packages, marks used, and any other particulars necessary for their identification.

I hereby give you notice that the undermentioned goods, that is to say,†

‡ Describe the ship, and give name or indication.

are about to be imported into your port on or about the day of next in the from

§ State how the goods infringe the Act, and if the infringement is one as to a forged trade mark protected in a British Possession or Foreign State, state the Possession or State, or if the infringement is one as to place or country of origin, state the name of the place or country falsely used.

That such goods are liable to detention and forfeiture being§

That

Mr. of
and Mr. of

are prepared to become my sureties in such bond as may be required upon detention of the goods.

And I request that the said goods may be detained and dealt with accordingly.

Dated this day of , 188 .

A. B.
(or Agent for)

NOTE.—Mr. refers to
his Bankers (or) Solicitors, and Mr. to
his Bankers (or) Solicitors as to his sufficiency for the penalty of the Bond.

Regulations under the Merchandise Marks Act, 1887. 7

BOND.

THE MERCHANDISE MARKS ACT, 1887.

KNOW ALL MEN BY THESE PRESENTS, THAT WE A.B.
and

are held and firmly bound unto Our Sovereign Lady Victoria,
by the Grace of God, of the United Kingdom of Great Britain
and Ireland, Queen, Defender of the Faith, in the sum of
Pounds to be paid to our said
Lady the Queen, her heirs or successors. For which payment
well and truly to be made we bind ourselves, jointly and severally,
our heirs, executors, and administrators, firmly by these presents.
Sealed with our Seals. Dated this day of
in the year of our Lord, One thousand eight hundred and

Whereas the above named A.B.
has by a notice dated the day of informed the Collector
of Customs at that the undermentioned goods, that
is to say,

were about to be imported into the Port of contrary
to Section 16 of the Merchandise Marks Act, 1887, and requested that
the said goods should be detained and dealt with accordingly. And
whereas the said goods duly arrived in the said Port on the day of
last, and are now detained pursuant to the said notice. Now the condition
of this obligation is such that if the said A.B.

his executors or administrators, shall well and
effectually indemnify, save harmless, and keep indemnified Her Majesty,
her heirs and successors, and all her and their officers of Customs, and their
executors or administrators, from and against all loss or damage, payment
or payments, and all costs and expenses which Her said Majesty, her heirs
or successors, and her and their officers of Customs, their executors or
administrators, shall or may sustain or incur by reason or on account of any
detention of the said goods following upon the information contained in
such notice and any proceedings consequent upon such detention, then this
obligation shall be void, or otherwise shall be and remain in full force and
virtue.

Signed, sealed, and
delivered.

2. Watch Cases.

ORDER IN COUNCIL PRESCRIBING FORM OF DECLARATION AS
TO THE COUNTRY IN WHICH FOREIGN WATCH CASES HAVE
BEEN MADE, AND THE MARKS TO BE PLACED THEREON
BY THE SEVERAL ASSAY OFFICES.

At the Court at Windsor, the 28th day of November, 1887.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchandise Marks Act, 1887, 50 & 51 Vict.
c. 28, it is, amongst other things, provided that—

- (1.) Every person who, after the date fixed by Order in Council, sends or brings a watch case, whether imported or not, to any assay office in the United Kingdom for the purpose of being assayed, stamped, or marked, shall make a declaration declaring in what country or place the case was made. If it appears by such declaration that the watch case was made in some country or place out of the United Kingdom, the assay office shall place on the case such a mark (differing from the mark placed by the office on a watch case made in the United Kingdom) and in such a mode as may be from time to time directed by Order in Council :
- (2.) The declaration may be made before an officer of an assay office appointed in that behalf by the office (which officer is hereby authorised to administer such a declaration) or before a justice of the peace or a commissioner having power to administer oaths in the Supreme Court of Judicature in England or Ireland or in the Court of Session in Scotland, and shall be in such form as may be from time to time directed by Order in Council :
- (3.) Every person who makes a false declaration for the purposes of this section shall be liable on conviction or indictment to the penalties of perjury, and, on summary conviction to a fine not exceeding twenty pounds for each offence :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in exercise of the powers vested in Her by the above recited provisions of the said Act, is pleased to order and declare, and doth hereby order and declare, that where it appears by such declaration that such watch cases

have been made in some country or place out of the United Kingdom, then the following authorities, that is to say:—

- The Wardens and Commonalty of the Mystery of Goldsmiths of the City of London;
- The Guardians of the Standard of Wrought Plate, Birmingham;
- The Company of Goldsmiths of the City of Chester;
- The Guardians of the Standard of Wrought Plate, Sheffield;
- The Incorporation of Goldsmiths of the City of Edinburgh;
- The Goldsmiths' Company of the City of Glasgow;
- The Fraternity or Company of Goldsmiths of the City of Dublin;

shall respectively cause to be placed on such watch cases the marks more particularly described and delineated in Schedule II. hereunto annexed, and no other mark or marks, and such marks are hereby authorised accordingly.

And it is hereby further ordered and declared that the declaration to be made shall be in the form set forth in Schedule I. hereunto annexed.

This Order shall come into operation on the 1st day of January, 1888.

C L. Peel.

Schedule I.

Form of Declaration.

I (a) _____ do hereby declare that the [watch case] or [watch cases] _____ [brought] or [sent] by me this day to the Assay Office at _____ in number _____ and in a parcel marked _____ [was] [were] made in _____

(a.) Here insert name and address of declarant.

(b) _____ (b) Signature of declarant.

Declared at _____ this _____ day of _____ 18 _____

Before me _____ (c) _____ (c) Signature and title of person before whom the declaration is made.

Officer of the Aforesaid Assay Office
appointed in that behalf
or, Justice of the Peace for
or, Commissioner having power to
administer oaths in the Supreme
Court of Judicature in England
[Supreme Court of Judicature in
Ireland]
[Court of Sessions in Scotland].

Schedule II

On a foreign gold case :

Within a shield of the form of a cross and of the size shown in Figure I. of the Appendix hereto, the word "Foreign," over which a hall mark particular to each office shown in Figure III. and the carat value of the gold, and under which the decimal equivalent of the carat value of the gold together with the variable annual date letter.

On a foreign silver case :

Within a shield of the form of a regular octagon and of the size shown in Figure II. of the Appendix hereto, the word "Foreign," over which a hall mark particular to each office shown in Figure III. and under which the variable annual date letter.

The particular hall mark above referred to for each of the seven assay offices at which foreign cases may be stamped is shown in Figure V. of the Appendix hereto.

APPENDIX TO SCHEDULE II, SHEET I.

Figure 1.



*Shield for Foreign
Gold Case.
(Actual Size)*

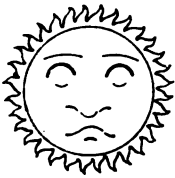
Figure 2.



*Shield for Foreign
Silver Case.
(Actual Size)*

Figure 3.

Particular Mark for each Hall.



*London.
(Phœbus.)*



*Birmingham.
{Equilateral
Triangle.}*



*Chester.
{Acorn and
two leaves.}*



*Sheffield.
(Crossed Arrows)*



*Edinburgh
(S^c. Andrew's Cross)*



*Glasgow
(Bishops Mitre)*

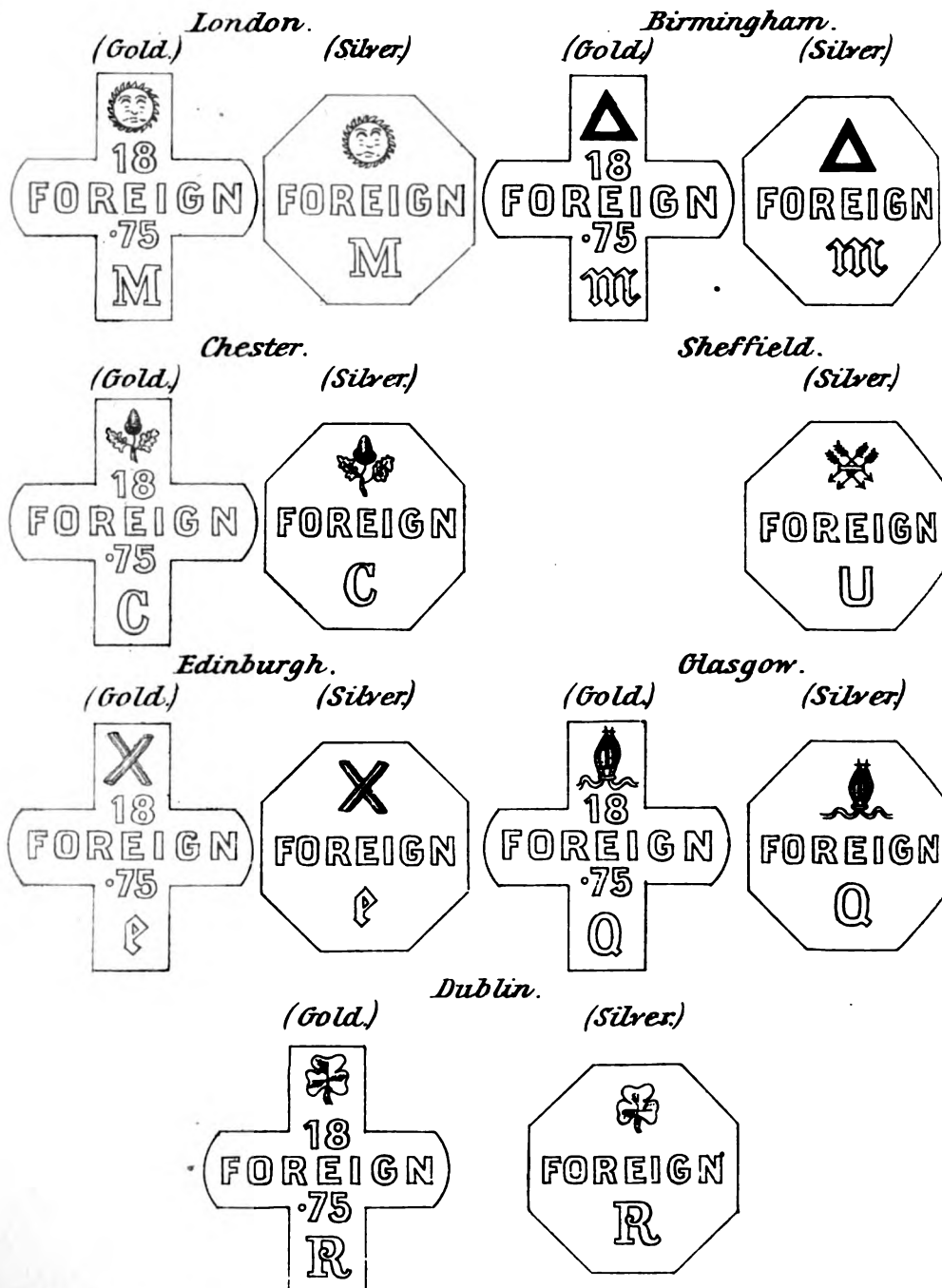


*Dublin
(Shamrock)*

Figure 4.

Carat Marks for Gold

22	and	·917
20	and	·833
18	and	·75
15	and	·625
12	and	·5
9	and	·375

APPENDIX TO SCHEDULE II, SHEET II.Figure 5.Representation of Marks
(Six times the actual size)

The annual variable date letter is to be inserted in position as shown above.
The proper gold carat value is also to be inserted in position as shown above.

3. Official Prosecutions.

REGULATIONS, DATED MAY 21, 1892, MADE BY THE BOARD OF TRADE, WITH THE CONCURRENCE OF THE LORD CHANCELLOR, UNDER SECTION 2 OF THE MERCHANDISE MARKS ACT, 1891,* WITH REGARD TO THE PROSECUTION OF OFFENCES UNDER THE MERCHANDISE MARKS ACT, 1887.†

1. The prosecution of offences under the Merchandise Marks Act, 1887,† shall, subject to the condition herein-after prescribed, be undertaken by the Board of Trade in cases which appear to the Board to affect the general interests of the country, or of a section of the community, or of a trade.

2. Every application to the Board to undertake a prosecution shall be accompanied by the following documents:

(a) A statement showing the nature and circumstances of the case and sufficient to enable the Board to form an opinion whether the case affects the general interests of the country, or of the section of the community, or of a trade.

(b) A statement showing the facts which, if the Board undertake the prosecution, will be capable of proof, and setting out the proofs and names of the witnesses available to prove such facts.

The Board may require the above statements to be supplemented or additional evidence to be furnished.

3. If, on the evidence, the Board is of opinion that there is no reasonable prospect of a conviction being obtained, the Board will not, unless it thinks fit, undertake the prosecution.

4. If the Board is of opinion that the prosecution would be better or more properly conducted under some other Act of Parliament other than the said Acts, the Board will not undertake the prosecution.

5. The Board may, before undertaking a prosecution, require the applicant to give security for costs on such terms and in such manner as it thinks proper.

6. For the purpose of carrying these regulations into effect the Board may, from time to time, prescribe the use of such forms and give such directions as it may deem expedient.

M. E. Hicks-Beach,

21st May, 1892,

President of the Board of Trade.

I concur,

Halsbury, C.

* 54 & 55 Vict. c. 15.

† 50 & 51 Vict. c. 28.

REGULATIONS, DATED OCTOBER 27, 1894, MADE BY THE BOARD OF AGRICULTURE, WITH THE CONCURRENCE OF THE LORD CHANCELLOR, PURSUANT TO SECTION 1 OF THE MERCHANDISE MARKS (PROSECUTIONS) ACT, 1894*, WITH REGARD TO THE PROSECUTION OF OFFENCES UNDER THE MERCHANDISE MARKS ACT, 1887,† RELATING TO AGRICULTURAL OR HORTICULTURAL PRODUCE.

1894. No. 400.

1. The Board of Agriculture shall, where it appears to them from the statements herein-after mentioned that there is a reasonable prospect of a conviction being obtained, and subject to the other conditions in the next following regulations prescribed, undertake the prosecution of offences under the Merchandise Marks Act, 1887,† in cases which appear to the Board to relate to agricultural or horticultural produce, and to affect the general interests of the country, or of a section of the community, or of a trade.

2.—(i.) Every application to the Board to undertake a prosecution shall be accompanied by the following documents :—

- (a) A statement showing the nature and circumstances of the case and sufficient to enable the Board to form an opinion whether the case relates to agricultural or horticultural produce and affects the general interests of the country, or of a section of the community, or of a trade.
- (b) A statement of the facts capable of proof, with the names and addresses of the witnesses available to prove such facts.

(ii.) The Board may require the above statements to be supplemented or additional evidence to be furnished.

3. For the purpose of carrying the foregoing regulations into effect, the Board may, from time to time, prescribe the use of such forms and give such directions as they may deem expedient.

27th October, 1894.

T. H. Elliott,
Secretary to the Board of Agriculture.

I concur,
Herschell, C.

* 57 & 58 Vict. c. 19 ;

† 50 & 51 Vict. c. 28.

MERCHANT SHIPPING.

- | | |
|--|--|
| 1. <i>Ships and Shipowners</i> ,
p. 1. | 5. <i>Prevention of Acci-</i>
<i>dents</i> , p. 201. |
| 2. <i>Masters and Seamen</i> ,
p. 46. | 6. <i>Casualties Wreck and</i>
<i>Salvage</i> , p. 289. |
| 3. <i>Passengers and Emi-</i>
<i>grant Ships</i> , p. 92. | 7. <i>Pilotage</i> , p. 301. |
| 4. <i>Fishing Boats</i> , p. 132. | 8. <i>Lighthouses</i> , p. 302. |
| | 9. <i>Miscellaneous</i> , p. 311. |

1. Ships and Shipowners.

- | | |
|---|---|
| 1. <i>Measurement of Ships</i> ,
p. 1. | 2. <i>Registration of Ships</i> ,
p. 23. |
|---|---|

(i.) Measurement of Ships.

ORDERS IN COUNCIL AS TO THE TONNAGE MEASUREMENT OF SHIPS OF FOREIGN STATES.

(a) Austria-Hungary.

At the Court at Balmoral, the 19th day of August, 1871.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act Amendment Act, 1862,* it is enacted that whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty, by Order in Council, to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers, and thereupon it shall no longer be necessary for such ships to be re-measured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted in their certificates of registry or other papers, in the same manner, to the same extent, and for the same purposes in, to and for which the tonnage denoted in the certificates of registry of British ships is to be deemed the tonnage of such ships.

* 25 & 26 Vict. c. 63 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.)

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under The Merchant Shipping Act, 1854,* have been adopted by His Imperial and Royal Majesty the Emperor the King of Austro-Hungary and are in force in the Austro-Hungarian dominions:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Austro-Hungary, the certificates of Austro-Hungarian nationality and registry of which are dated on or after the first day of September, One thousand eight hundred and seventy-one, shall be deemed to be of the tonnage denoted in the said certificates of Austro-Hungarian nationality and registry.

Edmund Harrison.

(b) Belgium.

At the Court at Balmoral, the 17th day of October, 1884.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above.*]

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under The Merchant Shipping Act, 1854,* have been adopted by the Government of His Majesty the King of the Belgians, with the exception of a slight difference in the mode of estimating the allowance for engine-room, and such rules are now in force in that country, having come into operation on the 1st day of January, 1884:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:

1. As regards sailing ships, that merchant sailing ships belonging to Belgium, the measurement whereof on or after the said 1st day of January, 1884, shall have been ascertained and denoted in the certificates of registry, or other national papers of such sailing ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent, and for the same purpose, in to and for which the tonnage denoted in the certificates of registry of British sailing ships is deemed to be the tonnage of such ships.

* 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.)

2. As regards steam ships, that merchant ships belonging to Belgium which are propelled by steam or any other power requiring engine-room, the measurement whereof on or after the said 1st day of January, 1884, shall have been ascertained and denoted in the certificates of registry, or other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry, or other national papers, in the same manner, and to the same extent and for the same purpose, in to and for which the tonnage denoted in the certificates of registry of British ships is deemed to be the tonnage of such ships, provided, nevertheless, that, if the owner or master of any such steam ship desires the deduction for engine-room in such ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships, instead of under the Belgian rules, the engine-room shall be measured, and the deductions calculated, according to the British rules.

C. L. Peel.

(c) Denmark.

1895. No. 571.

At the Court at Windsor, the 21st day of November, 1895.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council dated the 29th day of February, 1868,* made by Her Majesty in exercise of the powers conferred upon her by the Merchant Shipping Act Amendment Act, 1862,† Her Majesty was pleased to direct that the ships of Denmark the certificates of Danish nationality and registry of which were dated on and after the 1st October, 1867, should be deemed to be of the tonnage denoted in the said certificates of Danish nationality and registry :

And whereas by another Order in Council dated the 30th day of December, 1878,‡ Her Majesty was pleased to direct as regards Danish steam ships that if the owner or master of any merchant ship belonging to the kingdom of Denmark and measured after the 1st day of October, 1878, which is propelled by steam or any other power requiring engine-room, should desire the allowance for engine-room in his ship to be estimated under the rules for engine-room measurement and allowance applicable to British ships instead of under the

* Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1058.

† 25 & 26 Vict. c. 63.

‡ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1059.

Danish rule, the engine-room should be measured and the allowance calculated according to the British rules :

And whereas by another Order in Council dated the 20th day of April, 1883,* Her Majesty was further pleased to direct that in the event of the net registered tonnage of merchant ships belonging to the said kingdom of Denmark, which are propelled by steam or any other power requiring engine-room, estimated under the British rules, being denoted in the said certificates of Danish nationality and registry issued on or after the first day of September, 1882, such ships should be deemed to be of the tonnage so denoted in the said certificates :

And whereas by Section 84 of the Merchant Shipping Act, 1894,† it is enacted that whenever it appears to Her Majesty the Queen in Council that the tonnage regulations of that Act have been adopted by any foreign country and are in force there, Her Majesty in Council may order that the ships of that country shall, without being remeasured in Her Majesty's dominions, be deemed to be of the tonnage denoted in their certificates of registry or other national papers in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a British ship is deemed to be the tonnage of that ship :

And whereas it has been made to appear to Her Majesty that the tonnage regulations of the Merchant Shipping Act, 1894, have been adopted by the Government of His Majesty the King of Denmark, and that such regulations are now in force in that country, having come into operation on the 1st day of April, 1895 :

And whereas there still are or may be ships belonging to the kingdom of Denmark to which the herein-before recited Orders of the 29th February, 1868,‡ the 30th December, 1878,§ and the 20th April, 1883,|| may respectively apply, and it is expedient not to revoke the same, but to let the said recited Orders remain in force so long as there are any ships to which the same may so respectively apply :

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,¶ have been complied with :

Now, therefore, Her Majesty (in pursuance and exercise of the powers herein-before mentioned) is hereby pleased, by and with the advice of Her Privy Council, to decree that the merchant ships of the kingdom of Denmark, the measurement whereof shall on or after the 1st day of April, 1895, have been

* Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1060.

† 57 & 58 Vict. c. 60.

‡ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1058.

§ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1059.

|| Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1060.

¶ 56 & 57 Vict. c. 66.

ascertained and denoted in their certificates of registry or other national papers of such ships, shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a British ship is deemed to be the tonnage of that ship.

C. L. Peel.

(d) **France.**

At the Court at Windsor, the 5th day of May, 1873.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas . . . [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*] :

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under The Merchant Shipping Act, 1854* have been adopted by the President of the French Republic, and are in force in the French dominions :

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of France, the certificates of French nationality and registry of which are dated on or after the first day of June, One thousand eight hundred and seventy-three, shall be deemed to be of the tonnage denoted in the said certificate of French nationality and registry.

Edmund Harrison.

(e) **Germany.**

1896. No. 56.

At the Court of Windsor, the 22nd day of February, 1896.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council, dated the 23rd day of July, 1889,† made by Her Majesty in exercise of the powers conferred upon Her by the Merchant Shipping Act Amend-

* 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1062.

ment Act, 1862,* Her Majesty was pleased, by and with the advice of Her Privy Council, to direct as follows:—

1. As regards sailing ships, that merchant sailing ships of the German Empire, the measurement whereof after the 1st day of January, 1873, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified for the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner and to the same extent, and for the same purpose in, to and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.
2. As regards steamships, that merchant ships belonging to the said German Empire, which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of January, 1873, have been ascertained and denoted in the registers and other national papers of such steamships, testified by the dates thereof, shall be deemed to be of the tonnage denoted on such registers or other national papers in the same manner and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted to the certificate of registry of British ships is deemed to be the tonnage of such ships. Provided, nevertheless, that if the owner or master of any such German steamship desires the deduction for engine room in his ship to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the German rule, the engine room shall be measured and the deduction calculated according to the British rules; and that, in the event of any such steamship possessing a certificate of tonnage or other national paper issued as aforesaid on or after the 20th day of June, 1888, denoting the net registered tonnage of such ship under the British rules, the ship shall be deemed to be of the tonnage so denoted thereon.

And whereas . . . [*Here follows the fourth recital to the Order relating to Denmark printed at p. 3 above.*]

And whereas it has been made to appear to Her Majesty in Council that the tonnage regulations of the Merchant Shipping Act, 1894, have been adopted by the Government of His Majesty the German Emperor, and such regulations are now in force in the German Empire, having come into operation on the 1st day of July, 1895;

And whereas there still are or may be ships belonging to the German Empire to which the herein-before recited Order

* 25 & 26 Vict. c. 63; now repealed and consolidated with other Acts by 57 & 58 Vict. c. 60.

of the 23rd July, 1889, may apply, and it is expedient not to revoke the same, but to let the said recited Order remain in force so long as there are any ships to which the same may so apply :

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,* have been complied with :

Now, therefore, Her Majesty (in pursuance and exercise of the powers herein-before mentioned) is hereby pleased, by and with the advice of Her Privy Council, to direct that the merchant ships of the German Empire the measurement whereof shall, after the 1st day of July, 1895, have been ascertained and denoted in the registers and other national papers of such ships, shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a British ship is deemed to be the tonnage of that ship.

C. L. Peel.

(f) Greece.

At the Court at Osborne, Isle of Wight, the 14th day of August, 1879.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*] :

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,† have been adopted by the Government of His Majesty the King of Greece, with the exception of a difference in the mode in certain steamers of estimating the allowance for engine room, and such rules are now in force in that country, having come into operation on the 1st day of July, 1878, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows :—

1. As regards sailing ships, that merchant sailing ships of the said kingdom of Greece, the measurement whereof after the said 1st day of July, 1878, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner, and to the same extent, and for

* 56 & 57 Vic. c. 66.

† 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said Kingdom of Greece which are propelled by steam or any other power requiring engine room, the measurement whereof shall after the said 1st day of July, 1878, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such ships; Provided, nevertheless, that if the owner or master of any such Greek steamship desires the deduction for engine room in his ships to be estimated under the rules for engine-room measurement and deduction applicable to British ships instead of under the Greek rule, the engine room shall be measured and the deduction calculated according to the British rules.

C. L. Peel.

(g) **Hayti.**

At the Court at Windsor, the 3rd day of May, 1882.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*]:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,* have been adopted in Hayti by the Haitian Government:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Hayti, the certificates of Haitian nationality and registry, or the certificates of measurement, of which are dated on or after the 26th day of January, One thousand eight hundred and eighty-two, shall be deemed to be of the tonnage denoted in the said certificates of Haitian nationality and registry or certificates of measurement.

C. L. Peel.

* 17 & 18 Vict. c. 104. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

(h) Italy.

At the Court at Balmoral, the 30th day of September, 1873.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above]:

And whereas it has been made to appear to Her Majesty that rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,* have been adopted by the Government of His Majesty the King of Italy, and such rules are now in force in that country, having come into operation on the 1st day of July, One thousand eight hundred and seventy-three:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:—

1. As regards sailing ships, that merchant sailing ships of the said kingdom of Italy, the measurement whereof, after the said 1st day of July, One thousand eight hundred and seventy-three, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said kingdom of Italy which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of July, One thousand eight hundred and seventy-three, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers, in the same manner, and to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such ships; provided, nevertheless, that if the owner or master of any such Italian steam ship desires the deduction for engine-room in his ships to be estimated under the rules for engine-room measurement and deduction applicable to British ships, instead of under the Italian rule, the engine-room shall be measured, and the deduction calculated according to the British rules.

Edmund Harrison.

* 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

At the Court at Windsor, the 14th day of February, 1883.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*] :

And whereas Her Majesty, by Order in Council dated the 30th day of September, 1873,* was pleased to direct that merchant sailing and steam ships belonging to the Kingdom of Italy the measurement whereof had, after the first day of July, One thousand eight hundred and seventy-three, been ascertained and denoted in the registers and other national papers of such ships, testified by the dates thereof, should be deemed to be of the tonnage denoted in their registers or other national papers, in the same manner, and to the same extent, and for the same purposes, in, to, or for which the tonnage denoted in the Certificates of Registry of British Ships is deemed to be the tonnage of such ships; provided nevertheless, that if the owner or master of any Italian steam ship should desire the deduction for engine-room in such ship to be estimated under the rules for the engine-room measurement and deduction applicable to British ships, instead of under the Italian rule, the engine-room should be measured and deduction calculated according to the British rules.

And whereas the government of His Majesty the King of Italy have by royal decree, dated the 30th day of July, 1882, modified the rules for engine-room measurement and deduction applicable to Italian steam ships, and the said modified rules are now the same as those in force under the said principal Act, and came into operation in the said kingdom of Italy on the 21st day of September, 1882.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the steam ships of Italy, the certificates of Italian nationality and registry of which are dated on and after the 21st day of September, 1882, shall be deemed to be of the tonnage denoted in the said certificates of Italian nationality and registry.

C. L. Peel.

* Printed at p. 9 above.

At the Court at Windsor, the 23rd day of November, 1893.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above, with the substitution of "the Merchant Shipping Act, 1854, therein called the principal Act" for "the principal Act:"*]

And whereas Her Majesty, by Order in Council dated the thirtieth day of September, One thousand eight hundred and seventy-three,* was pleased to direct that merchant sailing, and steam ships, belonging to the kingdom of Italy, the measurement whereof had, after the first day of July, One thousand eight hundred and seventy-three, been ascertained and denoted in the registers and other national papers of such ships testified by the dates thereof, should be deemed to be of the tonnage denoted in their registers or other national papers, in the same manner, and to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificates of registry of British ships is deemed to be the tonnage of such ships; provided nevertheless, that if the owner or master of any Italian steam ship should desire the deduction for engine-room in such ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships instead of under the Italian rule, the engine-room should be measured and the deduction calculated according to the British rules :

And whereas Her Majesty by Order in Council dated the fourteenth day of February One thousand eight hundred and eighty-three† was pleased to declare that (the rules for engine-room measurement and deduction applicable to the steam ships of Italy having been modified by royal decree of His Majesty the King of Italy, dated the thirtieth day of July, One thousand eight hundred and eighty-two) the steam ships of Italy, the certificates of Italian nationality and registry of which were dated on or after the twenty-first day of September, One thousand eight hundred and eighty-two, should be deemed to be of the tonnage denoted in the said certificates of Italian nationality and registry.

And whereas it has been made to appear to Her Majesty that it is expedient that certain additions should be made to the provisions of the said last recited Order in Council in regard to the mode of estimating the net registered tonnage of Italian ships.

Now, therefore, Her Majesty in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is further pleased to direct as follows, viz., that in the event of the net registered tonnage of Italian ships, estimated under the British rules, being denoted on their certificates of registry or other national papers, the same shall be deemed to be of the tonnage so denoted therein,

C. L. Peel.

* Printed at p. 9 above.

† Printed at p. 10 above.

(i) Japan.

At the Court at Osborne House, Isle of Wight, the 27th day of January, 1885.

PRESENT;

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to Order relating to Austria-Hungary, printed at p. 1 above*]:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under The Merchant Shipping Act, 1854,* have been adopted by the government of His Imperial Majesty the Emperor of Japan and are in force in the Japanese dominions:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Japan, the certificates of Japanese registry or other national papers of which are dated on or after the first day of July, 1884, shall be deemed to be of the tonnage denoted in the said certificates of registry or other national papers.

C. L. Peel.

(j) Netherlands.

At the Court at Windsor, the 3rd day of May, 1888.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*]:

And whereas by the Merchant Shipping Act, 1876,† it is enacted that where Her Majesty has power, under the Merchant Shipping Act, 1854,* or any Act passed or hereafter to be passed amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter, or add to any order so made.

And whereas it was made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships in force under the Merchant Shipping Act, 1854,* had been adopted by the government of His Majesty the King of

* 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† 39 & 40 Vict. c. 80; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

the Netherlands, with the exception of a difference in the mode in certain steamers of estimating the allowance for engine room, and such rules were in force in that country, and came into operation on the 1st day of January, 1876 :

And whereas by Order in Council dated the 26th day of October, 1875,* Her Majesty was pleased to direct as follows :—

1. As regards sailing ships, that merchant sailing ships of the said kingdom of the Netherlands, the measurement whereof should, after the said 1st day of January, 1876, have been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, should be deemed to be of the tonnage denoted in such registers and other national papers in the same manner, and to the same extent, and for the same purpose, in, to and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said kingdom of the Netherlands which are propelled by steam or any other power requiring engine room, the measurement whereof should, after the said 1st day of January, 1876, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, should be deemed to be of the tonnage denoted on such registers or other national papers in the same manner, and to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such ships. Provided, nevertheless, that should the owner or master of any such Dutch steam ship desire the deduction for engine room in his ship to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Dutch rule, the engine room should be measured and the deduction calculated according to the British rules.

And whereas it has been made to appear to Her Majesty that a new Royal Ordinance, which came into operation on the 6th day of January, 1888, stipulates that the owners of Dutch steam ships may have the net tonnage of their vessels calculated according to British as well as according to Dutch rules, and shall have issued to them a separate certificate to be used in foreign countries showing the net tonnage calculated according to British rules :

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 26th day of October, 1875,* should be revoked,

* Published in "London Gazette," November 2, 1875, p. 5167.

and a new Order in Council made and substituted in lieu thereof:

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order of the 26th day of October, 1875,* shall be and the same is hereby revoked, and in lieu thereof, and in substitution therefor, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:—

1. As regards sailing ships, that merchant sailing ships of the said kingdom of the Netherlands, the measurement whereof, after the said first day of January, 1876, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said kingdom of the Netherlands which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of January, 1876, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted on such registers or other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such ships. Provided, nevertheless, that if the owner or master of any such Dutch steam ship desires the deduction for engine room in his ship to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Dutch rule, the engine room shall be measured and the deduction calculated according to the British rules, and that in the event of any such steam ship possessing a certificate of tonnage or other national paper issued as afore-said on or after the 6th day of January, 1888, denoting the net registered tonnage of such ship under the British rules, the ship shall be deemed to be of the tonnage so denoted thereon.

C. L. Peel.

* Published in "London Gazette," November 2, 1875, p. 5167.

(k) Norway.

1894. No. 161.

At the Court at Windsor, the 27th day of June, 1894.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas . . . [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above with the substitution of "the Merchant Shipping Act, 1854," for "the principal Act"*]:

And whereas by the Merchant Shipping Act, 1876,* it is enacted that "where Her Majesty has power, under the Merchant Shipping Act, 1854,† or any Act passed or hereafter to be passed amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council, to revoke, alter, or add to any Order so made."

And whereas it was made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,† had been adopted by the Royal Norwegian Government, and came into force in Norway on the 1st day of April, 1876 :

And whereas by Order in Council dated the 17th day of May, 1876,‡ and by Order in Council dated the 2nd day of February, 1884,§ which revoked the last recited Order, Her Majesty was pleased by and with the advice of Her Privy Council to direct that, subject to certain provisions therein contained, the merchant ships belonging to the kingdom of Norway the measurement of which had been ascertained and denoted on the registers or other national papers of such ships should be deemed to be of the tonnage denoted in such registers or other national papers in the same manner, to the same extent and for the same purposes, in, to, and for which the tonnage denoted in the certificates of registry of British ships is deemed to be the tonnage of such ships :

And whereas it has been made to appear to Her Majesty that a new Royal Ordinance, which came into operation on the 1st day of October, 1893, stipulates that the certificates of tonnage of Norwegian steamships may show the net tonnage calculated according to British rules :

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 2nd day of February, 1884,§ should be revoked,

* 39 & 40 Vict. c. 80, now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 17 & 18 Vict. c. 104, now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

‡ Published in "London Gazette," May 23, 1876, p. 3100.

§ Published in "London Gazette," February 5, 1884, p. 527.

and a new Order in Council made and substituted in lieu thereof :

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order of the 2nd day of February, 1884,* shall be, and the same is hereby revoked, and in lieu thereof and in substitution therefor, Her Majesty is hereby pleased by and with the advice of Her Privy Council to direct that the ships of Norway, the certificates of Norwegian nationality and registry of which are dated on and after the said 1st day of October, 1893, shall be deemed to be of the tonnage denoted in the said certificates of Norwegian nationality and registry.

C. L. Peel.

(1) Russia and Finland.

At the Court at Balmoral, the 20th day of November, 1880.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital of the Order relating to Austria-Hungary, printed at p. 1 above*] :

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,† have been adopted by the governments of Russia and the Grand Duchy of Finland, with the exception as regards Russian steamships, of a slight difference in the mode of estimating the allowance for engine room, and such rules are now in force in those countries, having come into operation at the following dates, viz. : in Russia on the 20th day of December, 1879, and in the Grand Duchy of Finland on the 1st day of June, 1877 :

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows :

1. As regards sailing ships, that merchant sailing ships of the said Russian Empire, the measurement whereof after the said 20th day of December, 1879, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, and merchant sailing ships of the said Grand Duchy of Finland, the measurement whereof has after the said 1st day of June, 1877, been ascertained, denoted, and testified as aforesaid, shall be

* Published in "London Gazette," February 5, 1884, p. 527.

† 17 & 18 Vict. c. 104 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

deemed to be of the tonnage denoted in such registers and other national papers in the same manner and to the same extent and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships :

2. As regards steam ships, that merchant ships belonging to the said Russian Empire which are propelled by steam or any other power requiring engine room the measurement whereof shall, after the said 20th day of December, 1879, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, and that merchant steam ships belonging to the said Grand Duchy of Finland the measurement whereof has, after the said 1st day of June, 1877, been ascertained, denoted, and testified as aforesaid, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner and to the same extent and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such ships; provided, nevertheless, that if the owner or master of any such Russian steamship desires the deduction for engine room in his ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships instead of under the Russian rule, the engine room shall be measured and the deduction calculated according to the British rules.

C. L. Peel.

(m) Spain.

* At the Court at Windsor, the 17th day of March, 1875.

PRESENT :

The Queen's most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*]:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,† have been adopted by the government of His Majesty the King of Spain, with the exception of a difference in the mode in certain steamers of estimating the allowance for engine room, and such rules are now in force in that

* By an Order in Council dated August 5, 1875, and published in the "London Gazette," August 10, 1875, p. 3955, the commencement of this Order in Council was delayed till January 1, 1876.

† 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

country, having come into operation on the second day of December, One thousand eight hundred and seventy-four.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows :—

1. As regards sailing ships, that merchant sailing ships of the said kingdom of Spain the measurement whereof, after the second day of December, One thousand eight hundred and seventy-four, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such ships :

2. As regards steam ships, that merchant ships belonging to the said kingdom of Spain which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said second day of December, One thousand eight hundred and seventy-four, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships ; provided, nevertheless, that if the owner or master of any Spanish steamship desires the deduction for engine room in his ships to be estimated under the rules for engine-room measurement and deduction applicable to British ships instead of under the Spanish rule, the engine room shall be measured and the deduction calculated according to the British rules.

(n) Sweden.

At the Court at Osborne House, Isle of Wight, the 18th day of August, 1882.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 1 above*]:

And whereas by the Merchant Shipping Act, 1876,* it is enacted that when her Majesty has power under the Merchant

* 39 & 40 Vict. c. 80 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

Shipping Act, 1854,* or any Act passed or hereafter to be passed amending the same, to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter, or add to any Order so made.

And whereas it was made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the Merchant Shipping Act, 1854,* had been adopted in Sweden by the government of His Majesty the King of Sweden and Norway, and came into force in Sweden on the 1st day of April, 1875 :

And whereas it was subsequently made to appear to Her Majesty that the said rules concerning the measurement of tonnage of the merchant ships of Sweden had been, as regards vessels propelled by steam or any other power requiring engine room, modified by the introduction therein of a slight difference in the mode of estimating the allowance for engine room, and that the same came into force in Sweden on the 1st day of April, 1882 :

And whereas by Order in Council dated the 17th day of March, 1875,† and the 3rd day of May, 1882,‡ Her Majesty was pleased, by and with the advice of Her Privy Council, to direct :

1. That the ships of Sweden, the certificates of Swedish nationality and registry of which are dated on and after the first day of April, One thousand eight hundred and seventy-five, should be deemed to be of the tonnage described in the said certificates of Swedish nationality and registry :

2. That the ships of Sweden which are propelled by steam or any other power requiring engine room the measurement whereof shall, after the 1st day of April, 1882, have been ascertained and described on the certificates of registry or other national papers of such steamships, testified by the date thereof, should be deemed to be of the tonnage described in such certificate of registry or other national papers.

And whereas it has been made to appear to Her Majesty that the said modifications introduced into the said rules for the measurement of Swedish steamships came into force on the 1st day of April, 1881, as regards steamships measured or re-measured after that date :

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 3rd May, 1882,‡ shall be made applicable to Swedish steamships registered on or after the 1st day of

* 17 & 18 Vict. c. 104. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† Published in "London Gazette," March 19, 1875, p. 1688.

‡ Published in "London Gazette," May 9, 1882, p. 2128.

April, 1881, and that the said recited Orders in Council of the 17th day of March, 1875,* and the 3rd day of May, 1882,† should be revoked and a new Order in Council made and substituted in lieu thereof:

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, by and with the advice of Her Privy Council, is pleased to direct that the said recited Orders in Council of the 17th day of March, 1875,* and the 3rd day of May, 1882,† shall be, and the same are revoked, and in lieu thereof and in substitution therefor Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:—

1. As regards sailing ships, that merchant sailing ships belonging to Sweden the measurement whereof, on or after the said 1st day of April, 1875, has been ascertained and denoted in the certificates of registry or other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such certificates of registry or other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.

2. As regards steamships, that merchant ships belonging to Sweden which are propelled by steam or any other power requiring engine room the measurement whereof on or after the said 1st day of April, 1881, has been ascertained and denoted in the certificates of registry or other national papers of such steamships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such certificates of registry or other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships; provided, nevertheless, that if the owner or master of any such Sweden steamship desires the deduction for engine room in such ship to be estimated under the rules for engine-room measurement and deduction applicable to British ships under the Swedish rules, the engine room shall be measured and the deduction calculated according to the British rules, and that in the event of the net registered tonnage of such steamships, estimated under the British rules, being denoted in the said certificates of registry or other national papers, the same shall be deemed to be of the tonnage so denoted therein.

C. L. Peel.

* Published in "London Gazette," March 19, 1875, p. 1688.

† Published in "London Gazette," May 9, 1882, p. 2128.

(c) United States.

1895. No. 411.

At the Court at Balmoral, the 3rd day of October, 1895.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council, dated the 30th July, 1868,* made by Her Majesty in the exercise of the powers conferred upon Her by the Merchant Shipping Act Amendment Act, 1862,† Her Majesty was pleased to direct that the merchant ships of the United States of America the measurement whereof should after the 1st January, 1865, have been ascertained and denoted on the registers and other national papers of such ships, testified by the dates thereof, should be deemed to be of the tonnage denoted in such registers or other national papers, in the same manner, to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships, after making therefrom the same deductions, in respect of crew space and engine room, as would if such ships were British, be made from their gross tonnage under the laws relating to British ships :

And whereas by another Order in Council, dated the 19th March, 1883,‡ made in exercise of the aforesaid powers, Her Majesty was pleased to direct as follows :—

1. As regards sailing ships, that merchant sailing ships of the United States of America, the measurement whereof after the 5th August, 1882, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers, in the same manner, to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.
2. As regards steamships, that merchant ships belonging to the United States of America, which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 5th day of August, 1882, have been ascertained and denoted in the registers and other national papers of such steam-

* Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1075.

† 25 & 26 Vict. c. 63.

‡ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1076.

ships testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner, to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships. Provided nevertheless that if the owner or master of any such American steamship desires the deduction for engine room in his ship to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the American rule, the engine room shall be measured, and the deduction calculated according to the British rules.

And whereas * * * * [*Here follows the fourth recital to the Order relating to Denmark printed at p. 3 above.*]

And whereas it has been made to appear to Her Majesty in Council that the tonnage regulations of the Merchant Shipping Act, 1894,* have been adopted by the United States of America, and such regulations are now in force there, having come into operation on the 1st day of April, 1895 :

And whereas there still are or may be ships belonging to the United States of America to which the herein-before recited Orders of the 30th July, 1868,† and the 19th March, 1883,‡ may respectively apply, and it is expedient not to revoke the same, but to let the said recited Orders remain in force so long as there are any ships to which the same may so respectively apply :

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,§ have been complied with :

Now, therefore, Her Majesty, in pursuance and exercise of the powers herein-before mentioned, is hereby pleased, by and with the advice of Her Privy Council, to direct that the merchant ships of the United States of America the measurement whereof shall, after the 1st day of April, 1895, have been ascertained and denoted in the registers and other national papers of such ships, shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a British ship is deemed to be the tonnage of that ship.

C. L. Peel.

* 57 & 58 Vict. c. 60.

† Published in "London Gazette," August 4, 1868, p. 4308.

‡ Published in "London Gazette," March 27, 1883, p. 1681.

§ 56 & 57 Vict. c. 66.

(ii.) Registration of Ships.

(a) Foreign Ports of Registry.

**“THE CHINA AND JAPAN MARITIME ORDER IN COUNCIL,
1874.”**

**At the Court at Osborne House, Isle of Wight, the 6th day
of August, 1874.**

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Act of Parliament passed in the session of the sixth and seventh years of Her Majesty's reign (chapter eighty), and intituled “An Act for the better government of Her Majesty's subjects resorting to China,”* it was enacted (among other things) that it should be lawful for Her Majesty, by any Order or Orders made with the advice of Her Privy Council to ordain for the government of Her Majesty's subjects within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, any law or ordinance which to Her Majesty in Council might seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council, for the government of Her Majesty's subjects being within Her Majesty's island of Hong Kong.

And whereas by another Act of Parliament passed in the same session (6 & 7 Vict. c. 94.),† and intituled “An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual,” the short title of which is (in accordance with 29 & 30 Vict. c. 87.‡) the Foreign Jurisdiction Act, 1843, it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had or might at any time thereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory :

And whereas Her Majesty has had and now has power and jurisdiction in the dominions of the Emperor of China and in the dominions of the Mikado of Japan :

And whereas by the Merchant Shipping Act, 1873, 36 & 37 Vict. c. 85. (which is to be construed as one with the Merchant

* Repealed by the Foreign Jurisdiction Act, 1878 (41 & 42 Vict. c. 67).

† Repealed by the Foreign Jurisdiction Act, 1890 (53 & 54 Vict. c. 37).

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Shipping Act, 1854,* and the Acts amending the same, and which with the said Acts may be cited collectively as the Merchant Shipping Acts, 1854 to 1873 †), it was enacted, among other things, that where, in accordance with the Foreign Jurisdiction Acts, Her Majesty should exercise jurisdiction within any port out of Her Majesty's dominions, it should be lawful for Her Majesty by Order in Council to declare such port a port of registry (in the Act now in recital referred to as a foreign port of registry), and by the same or any subsequent Order in Council to declare the description of persons who should be the registrars of British ships at such foreign port of registry, and to make regulations with respect to the registry of British ships thereat; and that upon such Order coming into operation it should have effect as if it were enacted in the Merchant Shipping Acts, 1854 to 1873,† and should, subject to any exceptions and regulations contained in the Order, apply in the same manner, as nearly as might be, as if the port mentioned in the Order were an ordinary port of registry:

And whereas it has been made to appear to Her Majesty that it is expedient to declare the port of Shanghai in the empire of China a foreign port of registry, and to declare the description of persons who shall be the registrars of British ships thereat, and to make regulations with respect to the registry of British ships thereat:

Now, therefore, Her Majesty, by virtue of the powers vested in her in this behalf by the herein-before recited Acts, or some or one of them, and by and with the advice of Her Privy Council, is pleased to declare and order as follows:—

Short Title.

1. This Order may be cited as the "China and Japan Maritime Order in Council, 1874."†

Interpretation.

2. In this Order—

The term "China" shall mean the dominions of the Emperor of China;

The term "Japan" shall mean the dominions of the Mikado of Japan:

The term "minister" shall mean the chief diplomatic representative or superintendent of trade of Her Majesty for the time being, whether ambassador, envoy, minister, plenipotentiary, or chargé d'affaires:

The term "consular officer" shall include consul-general, consul, and vice-consul, and any person for the time

* 17 & 18 Vict. c. 104.

† Now repealed and consolidated by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

‡ Article 4 of the Order of 1885, printed at p. 34 below, provides that this and that Order may be cited as "The Shanghai Shipping Registry Orders in Council of 1874 and 1883."

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**Registration of Ships:—Shanghai Shipping
Registry Orders.**

being discharging the duties of consul-general, consul, or vice-consul:

The term "the Merchant Shipping Acts" shall mean the Merchant Shipping Acts, 1854 to 1873,* and any Acts amending the same:

The term "month" shall mean calendar month:

Words importing the plural or singular may be construed as referring to one person or thing, or more than one person or thing, and words importing the masculine as referring to females (as the case may require).

Application of Order.

3. The provisions of this Order relating to British subjects apply to all subjects of Her Majesty, whether by birth or naturalisation.

Shanghai a Port of Registry.

4. The port of Shanghai in the empire of China shall be a port of registry.

Registrar—Appointment.

[Art. 5 rep. by Order in Council, May 22, 1883, printed at p. 34 below.]

Deputy of Registrar.

6. Her Majesty's minister in China may from time to time in case of the absence or intended absence from Shanghai, or in case of the illness of the registrar, appoint by writing under his hand a fit person to be the deputy of the registrar for the time therein mentioned, but every such appointment shall be revocable at pleasure by Her Majesty's said minister by writing under his hand.

The person so appointed shall during the continuance of his appointment have all the power and authority of the registrar.

Tenure of Office of Registrar.

[Arts. 7 and 8 rep. by Order in Council, May 22, 1883, printed at p. 34 below.]

Seal of Registrar.

9. The registrar shall have and use a seal bearing such style and device as one of Her Majesty's principal Secretaries of State shall from time to time direct.

* Now repealed and consolidated by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

Presumption as to Signature and Seal.

10. Every signature or seal affixed to any instrument purporting to be the signature or the seal, as the case may be, of the registrar, shall for all purposes under this Order, without any proof thereof, be presumed to be genuine, and shall be taken as genuine until the contrary is proved.

Powers of Registrar.

11. The registrar of shipping at Shanghai shall have the same powers as any registrar of shipping appointed under the Merchant Shipping Acts; and for the purpose of enforcing the provisions of the said Acts and of this Order, the said registrar shall have the same powers as by the said Acts are conferred for the purposes of registration and measurement on any officer of Customs or any officer of the Board of Trade.

Certificates of Mortgage or Sale.

12. A certificate of mortgage or sale, granted in pursuance of the Merchant Shipping Act, 1854,* by the registrar at Shanghai, may contain powers to be exercised at any place situate out of the port of Shanghai, within the limits of the empire of China.

Mode of Transfer of Ship under Certificate of Sale from one British Subject to another at Consular Port.

13. On the transfer of a ship from one British subject to another under a certificate of sale, at any port in Japan or at any port in China other than Shanghai, the consular officer of such port shall endorse an entry of the transfer on the certificates of registry and sale of the said ship, and should the purchaser be desirous of registering the said ship at Shanghai, the said consular officer shall, if requested so to do by the purchaser or transferee or other duly authorised person, forward to the registrar at Shanghai the bill of sale and the declaration of ownership, together with the aforesaid certificates and a certificate of any survey of the said ship that may be required for the purposes of registry anew under the Merchant Shipping Acts; and upon receiving the same, the said registrar shall register the said ship anew, and shall either retain the new certificate of registry, or forward the same to the consular officer or to the registrar of shipping at such port or place as such purchaser or transferee or authorised person shall require and on such request the said certificate shall be forwarded by any consular officer or registrar, into whose hands the same may come, to any other

* 17 & 18 Vict. c. 104; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

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Registry Orders.

consular officer or registrar, to be handed by him to the master of the said ship when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

*Mode of Transfer of Ship from Foreigner to British Subject
at Consular Port.*

14. On the transfer of a foreign ship to a British subject at any port in Japan or at any port in China other than Shanghai, should the purchaser be desirous of registering the said ship at Shanghai, the said consular officer of such port shall if requested so to do by the purchaser or transferee or other duly authorised person, forward to the registrar at Shanghai the bill of sale, the declaration of ownership, and a certificate of any survey of the said ship that may be required for the purposes of registry under the Merchant Shipping Acts; and upon receiving the same the said registrar shall grant a certificate of registry for the said ship, and shall either retain the said certificate, or forward the same to the consular officer or to the registrar of shipping at such port or place as such purchaser or transferee or other authorised person shall require; and on such request the said certificate shall be forwarded by any consular officer or registrar, into whose hands the same may come, to any other consular officer or registrar, to be handed by him to the master of the said ship when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

*Mode of Registry of Ship provided with Sailing Letter at
Consular Port.*

15. Lorchas and other Chinese and Japanese rigged ships, or other ships provided with sailing letters or documents of the nature of sailing letters granted by Her Majesty's Ministers in China or Japan, shall, after the commencement of this Order, on their first arrival at any port in Japan or at any port in China other than Shanghai where there is a surveyor, be surveyed, and the consular officer of such port shall transmit to the registrar at Shanghai the said sailing letter, and a certificate of any survey of the said ship, that may be required for the purposes of registry under the Merchant Shipping Acts; and upon receiving the same the said registrar shall grant a certificate of registry for the said ship, and shall either retain the said certificate, or forward the same to the consular officer or to the registrar of shipping at such port or place as the owner or other duly authorised person shall require; and on such request the said certificate shall be forwarded by any consular officer or registrar into whose hands the same may come to any other consular officer or registrar, to be handed by him to the master of the said ship, when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

Passes, how granted, and in what cases void.

16. On any such transfers, whether from one British subject to another, or from a foreigner to a British subject, or on the first arrival of any ship provided with a sailing letter or other document as aforesaid, at any port in Japan or at any port in China other than Shanghai, where there is a surveyor, the consular officer of such port shall grant to the master of such ship upon his application, a pass containing the particulars required by Schedule A. to this Order. The pass so granted shall within the China and Japan seas, including the waters of the island of Hong Kong, possess the same force as a certificate of registry, until the expiration of four months, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a consular or other duly authorised officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the registrar at Shanghai, but upon the expiration of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents and purposes; and the said pass on becoming so void, shall be at once delivered by the master of the said ship to a consular or other duly authorised officer, and in default of delivery, the said master shall incur a penalty not exceeding fifty pounds.

Powers of Minister in China respecting Ship registered at Shanghai.

17. Her Majesty's Minister in China shall, with regard to the performance of any act or thing relating to the registry of a ship registered at Shanghai, or of any interest therein, be considered in all respects as occupying the place of the Board of Trade and the Commissioners of Customs.

Powers of Ministers in China and Japan respecting Surveyors—Powers of Surveyors.

18. Her Majesty's Minister in China shall at any port or place in China, and Her Majesty's Minister in Japan, shall at any port or place in Japan, have the same power to appoint fit and proper persons to be surveyors under the Merchant Shipping Acts as are possessed by the Board of Trade in the United Kingdom, and the person so appointed shall have the same powers as are conferred on the surveyors appointed as aforesaid by the Board of Trade.

Commissioners of Customs or Governor may grant Pass to a Ship unregistered to proceed to Shanghai.

19. In cases where it appears to the Commissioners of Customs, or to the governor or other person administering the government of any British possession, that by reason of special

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circumstances it would be desirable that permission should be granted to any British ship to pass without being previously registered from any port or place in Her Majesty's dominions to the port of Shanghai in the empire of China, it shall be lawful for such commissioners or governor or other person to grant a pass accordingly, and such pass shall for the time and within the limits therein mentioned have the same effect as a certificate of registry.

Her Majesty's Minister in China may grant Pass to a Ship unregistered to proceed to any port in Her Majesty's Dominions.

20. In cases where it appears to Her Majesty's Minister in China that by reason of special circumstances it would be desirable that permission should be granted to any British ship to pass without being previously registered from the port of Shanghai, in the empire of China, to any port or place within Her Majesty's dominions, it shall be lawful for such Minister to grant a pass accordingly, and such pass shall for the time and within the limits therein mentioned have the same effect as a certificate of registry.

What Class of Ship exempted from Shipment and Discharge of Native Crew.

21. Lorchas and other Chinese and Japanese rigged ships registered at Shanghai shall be exempted from that portion of the Merchant Shipping Acts which relates to the shipment and discharge of seamen, so far as applies to the employment of natives of China and Japan on board these ships.

Minister in China may amend present Instructions or issue others.

22. Her Majesty's Minister in China may, with the approval of one of Her Majesty's Secretaries of State, amend the instructions to Consuls which accompany this Order, and issue any further instructions with reference to the performance of any act or thing relating to the registry of a ship registered at Shanghai, or of any interest therein that may seem to him necessary or advisable.

Fees.

23. Fees not exceeding the amounts named in Schedule B. to this Order may be taken in respect of the matters mentioned in the same schedule.

Commencement of Order.

24. This Order shall commence and have effect as follows:—

- (1.) As to the making of any warrant or appointment under this Order, immediately from and after the making of this Order:
- (2.) As to all other matters and provisions comprised and contained in this Order, immediately from and after the expiration of one month after this Order is first exhibited in the public office of Her Majesty's Consul at Shanghai; for which purpose Her Majesty's Consul at Shanghai is hereby required forthwith, on receipt by him of a copy of this Order, to affix and exhibit the same conspicuously in his public office, and he is also hereby required to keep the same so affixed and exhibited during one month from the first exhibition thereof; and of the time of such first exhibition notice shall as soon thereafter as practicable, be published in every consular district in China and Japan, in such manner as Her Majesty's Ministers there respectively direct; and, notwithstanding anything in this Order, the time of the expiration of the said month shall be deemed to be the time of the commencement of this Order.

Publication of Order.

25. A copy of this Order shall be kept exhibited conspicuously in each Consulate in China and in Japan.

Printed copies shall be provided and sold at such reasonable price as Her Majesty's Minister in China directs.

And the Right Honourable the Earl of Derby, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

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.Schedule A.

The China and Japan Maritime Order in Council, 1874.

Sailing Ship.

Pass granted only for Ships to be registered at Shanghai.

Name of Ship.	British or Foreign Built.	How propelled.

Number of decks - - -	Build - - - -
Number of masts - - -	Galleries - - - -
Rigged - - - -	Head - - - -
Stern - - - -	Framework - - - -

Measurements.	Feet.	Tenths.
Length from the fore part of stem under the bowsprit to the aft side of the head of the sternpost - - -		
Main breadth to outside plank - - - -		
Depth in hold from tonnage deck to ceiling at mid-ships - - - -		

Tonnage.	No. of Tons.
Tonnage under tonnage deck - - - -	
Closed-in spaces above the tonnage deck, if any, viz. :—	
Space or spaces between decks - - - -	
Poop - - - -	
Round-house - - - -	
Other enclosed spaces, if any, naming them - - -	
Total tonnage - - - -	

I, the undersigned _____, Her Britannic Majesty's Consul at the port of _____, hereby certify that,—

1. The ship, the description of which is prefixed to this my pass, has been duly surveyed, and that the above description is true.

2. That _____, of _____, is the master of the said ship.

3. That the said ship was built at _____, on the _____ day of _____ 18____, and her foreign name is* _____.

Dated at _____, the _____ day of _____ one thousand eight hundred and _____.

Her Britannic Majesty's Consul.

* These words to be added if the ship is foreign.

NOTE.—This pass continues in force only until the _____ day of _____ 18____, or until she completes her voyage from _____ to Shanghai, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a consular or other duly

authorised officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the registrar at Shanghai; but upon the expiration of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents.

NOTE.—Registrars of shipping are informed that this ship is in process of registration at Shanghai, and that registry must not be granted elsewhere.

The China and Japan Maritime Order in Council, 1874.

Steamer.

Pass granted only for Ships to be registered at Shanghai.

Name of Ship.	British or Foreign Built, and when Built.	How propelled.
Number of Decks - -	Build - - - -	
Number of masts - -	Galleries - - - -	
Rigged - - - -	Head - - - -	
Stern - - - -	Framework - - - -	
Measurements.		Feet. Tenths.
Length from the fore part of stem under the bowsprit to the aft side of the head of the sternpost - -		
Main breadth to outside plank - - - -		
Depth in hold from tonnage deck to ceiling at mid-ships - - - -		
Tonnage.		No. of Tons.
Tonnage under tonnage deck - - - -		
Closed-in spaces above the tonnage deck, if any, viz. :—		
Space or spaces between decks - - - -		
Poop - - - -		
Round-house - - - -		
Other enclosed spaces, if any, naming them - -		
Gross tonnage - -		
Reduction for space required for propelling power - -		
Feet. Tenths.		Tonnage -
Length of engine-room -		
Number of engines -		
Combined power (estimated horse-power) -		
Number of horses-power -		
Name and address of engine maker -		

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I, the undersigned _____, Her Britannic Majesty's Consul at the port of _____, hereby certify, that,—

1. The ship, the description of which is fixed to this my pass, has been duly surveyed, and that the above description is true.

2. That _____, of _____, is the master of the said ship.

3. That the said ship was built at _____, on the _____ day of _____ 18____, and her foreign name is* _____

Dated at _____, the _____ day of _____ one thousand eight hundred and _____.

Her Britannic Majesty's Consul.

* These words to be added if the ship is foreign.

NOTE.—This pass continues in force only until the _____ day of _____ 18____ or until she completes her voyage from _____ to Shanghai, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a consular or other duly authorised officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the registrar at Shanghai; but upon the expiration of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents.

NOTE.—Registrars of shipping are informed that this ship is in process of registration at Shanghai, and that registry must not be granted elsewhere.

Schedule B.

Table of Fees to be taken in pursuance of the China and Japan Maritime Order in Council, 1874.

	\$	c.
Certificate of registry	15	00
Inspection of register book	1	00
Copy of register book	5	00
For every declaration taken or recorded under Merchant Shipping Acts	2	00
Certificate of sale or mortgage	2	00
Recording bill of sale	5	00
Recording deed of mortgage	5	00
Transfer or discharge of mortgage	5	00
Endorsing ownership on certificate of registry	2	00
Transfer of registry to another port	2	00
Provisional certificate of registry	5	00
Pass for ship	5	00
Change of master	1	00
Alteration in register of name, rig, or tonnage	2	00
For annexing the seal of office and signature to any document not mentioned in or otherwise provided for by this table	1	00
For measurement of tonnage as under:—		
For ships of 15 tons, and under 500 tons gross tonnage	15	00
" 500 " 1,000 "	22	50
" 1,000 " 2,000 "	27	00
" 2,000 " 3,000 "	31	50
" 3,000 " 4,000 "	36	00
" 4,000 " 5,000 "	40	50
" 5,000 " and upwards "	45	00

For the inspection of the berthing or sleeping accommodation of the crew :—	\$	c.
For each visit to the ship - - - - -	4	50
Provided as follows :		
(a) The aggregate amount of the fees for any such inspection shall not exceed \$9 00 whatever be the number of separate visits.		
(b) When the accommodation is inspected at the same time with the measurement of the tonnage, no separate fee shall be charged for the inspection.		
For the inspection of light and fog signals :—		
For each visit made to the ship on the application of the owner, and for each visit made where the lights or fittings are found defective - - - - -	4	50
Provided that the aggregate amount of fees for any such inspection shall not exceed \$9 00 whatever be the number of separate visits.		
For the inspection of the marking of a ship :—		
For each visit made to the ship on the application of the owner, and for each visit made where the provisions of the Merchant Shipping Acts with respect thereto have not been complied with - - - - -	2	50
Provided as follows :		
(a) The aggregate amount of the fees for any such inspection shall not exceed \$5 00 whatever be the number of separate visits.		
(b) When the marking of a ship is inspected at the same time with the inspection of light and fog signals, no separate fee shall be charged for the inspection.		

“THE SHANGHAI SHIPPING REGISTRY ORDER IN COUNCIL OF 1883.”

At the Court at Windsor, the 22nd day of May, 1883.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act, 1873,* (Section twenty-nine) it is enacted (among other things) to the effect that where in accordance with the Foreign Jurisdiction Acts Her Majesty exercises jurisdiction within any port out of Her Majesty's dominions it shall be lawful for Her Majesty by Order in Council to declare such port a port of registry, therein referred to as a foreign port of registry, and by the same or any subsequent Order in Council, to declare the description of persons who are to be the registrars of British ships at such foreign port of registry and to make regulations with respect to the registry of British ships thereat.

And whereas in accordance with the Foreign Jurisdiction Acts Her Majesty exercises jurisdiction within the port of Shanghai in China.

* 36 & 37 Vict. c. 85. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

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Registry Orders.

And whereas by virtue of the powers aforesaid Her Majesty was pleased by and with the advice of Her Privy Council by the China and Japan Maritime Order in Council, 1874,* to declare and order (among other things) that the port of Shanghai should be a port of registry and to provide for the appointment of a registrar there and for other purposes connected therewith.

And whereas it has been made to appear to Her Majesty that it is expedient to amend the said Order in Council with respect to the mode of appointment of the registrar and in other respects.

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Merchant Shipping Act, 1873,† and the Foreign Jurisdiction Acts, 1843 to 1878,‡ or otherwise in Her vested is pleased by and with the advice of Her Privy Council to order and declare, and it is hereby ordered and declared as follows:

1. Articles five, seven, and eight (relating to the appointment and the tenure of office of the registrar) of the China and Japan Maritime Order in Council, 1874,* are hereby repealed.

2. The registrar of British ships at the port of Shanghai as a foreign port of registry shall be such one of Her Majesty's consular officers at Shanghai as one of Her Majesty's Principal Secretaries of State from time to time appoints by writing signed by him.

3. The following articles of the China and Japan Maritime Order in Council, 1874* are hereby incorporated with this Order and for the purposes of this Order shall be read as part thereof, namely,—Article two (interpretation). Article three (application of Order). Article twenty-five (publication of Order).

4. This Order may be cited as the Shanghai Shipping Registry Order in Council of 1883, and this Order and the China and Japan Maritime Order in Council, 1874,* may be cited together as the Shanghai Shipping Registry Orders in Council of 1874 and 1883.

And the Right Honourable the Earl Granville, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.

* Printed at p. 23 above.

† 36 & 37 Vict. c. 85.; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

‡ 6 & 7 Vict. c. 94; 29 & 30 Vict. c. 87; 41 & 42 Vict. c. 67; now repealed and consolidated by the Foreign Jurisdiction Act, 1890 (53 & 54 Vict. c. 37).

THE CYPRUS MARITIME ORDER IN COUNCIL, 1900.

1900. No. 501.

At the Court at Windsor, the 29th day of June, 1900.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
 Marquis of Londonderry,
 Lord Chamberlain.

Whereas by the eighty-eighth section of the Merchant Shipping Act, 1894,* it is enacted as follows:—

"Where, in accordance with the Foreign Jurisdiction Act, 1890,† Her Majesty exercises jurisdiction within any port, it shall be lawful for Her Majesty, by Order in Council, to declare that port a port of registry, and by the same or any subsequent Order in Council to declare the description of persons who are to be registrars of British ships at that port of registry, and to make regulations with respect to the registry of British ships thereat."

And whereas by treaty, grant, usage, sufferance, and other lawful means Her Majesty the Queen has jurisdiction in and over Cyprus and within all the ports thereof in accordance with the said Foreign Jurisdiction Act, 1890.

And whereas it has been made to appear to Her Majesty that it is expedient to declare the port of Larnaca in the Island of Cyprus a port of registry and to declare the description of persons who shall be registrars of British ships thereat and to make regulations with respect to the registry of British ships thereat.

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,‡ have been complied with.

Now, therefore, Her Majesty, by virtue of the powers vested in Her in this behalf by the herein-before recited Acts, or some or one of them, and by and with the advice of Her Privy Council, is pleased to declare and order as follows:—

Short Title.

1. This Order may be cited as the "Cyprus Maritime Order, in Council, 1900."

Larnaca a Port of Registry.

2. The Port of Larnaca in the Island of Cyprus shall be a port of registry for British ships.

* 57 & 58 Vict. c. 60.

† 53 & 54 Vict. c. 37.

‡ 56 & 57 Vict. c. 66.

Registrar—Appointment.

3. The Registrar of British ships at the said port shall be such officer in the public service of the Island of Cyprus as the High Commissioner of Cyprus from time to time appoints by writing signed by him, and in default of such appointment shall be the Collector of Customs at the said port.

Deputy of Registrar.

4. The High Commissioner of Cyprus may from time to time in case of the absence or intended absence from Larnaca, or in case of the illness of the Registrar, appoint by writing under his hand a fit person to be the Deputy of the Registrar for the time therein mentioned; but every such appointment shall be revocable at pleasure by the High Commissioner by writing under his hand.

The person so appointed shall during the continuance of his appointment have all the power and authority of the Registrar.

Seal of Registrar.

5. The Registrar shall have and use a seal bearing such style and device as the High Commissioner shall from time to time direct.

Presumption as to Signature and Seal.

6. Every signature or seal affixed to any instrument purporting to be the signature or seal, as the case may be, of the Registrar, shall for all purposes under this Order, without any proof thereof, be presumed to be genuine and shall be taken as genuine until the contrary is proved.

Powers of Registrar.

7. The Registrar of Shipping at Larnaca shall have the same powers as any Registrar of Shipping appointed under the Merchant Shipping Act, 1894, and for the purpose of enforcing the provisions of the said Act and of this Order the said Registrar shall have the same powers as by the said Act are conferred for the purposes of registration and measurement on any officer of Customs or any officer of the Board of Trade.

Powers of High Commissioner respecting Ship registered at Larnaca.

8. The High Commissioner of Cyprus shall with regard to the performance of any act or thing relating to the registry of a ship registered at Larnaca or of any interest therein be considered as in all respects occupying the place of the Board of Trade and the Commissioners of Customs.

The High Commissioner of Cyprus may grant a Pass to a Ship unregistered to proceed to any port in Her Majesty's Dominions.

9. Where it appears to the High Commissioner of Cyprus that by reason of special circumstances it would be desirable that permission should be granted to any British ship to pass, without being previously registered, from the port of Larnaca to any port within Her Majesty's Dominions, the High Commissioner may grant a pass accordingly, and such pass shall for the time being and within the limits therein mentioned have the same effect as a certificate of registry.

Fees.

10. Fees not exceeding the amounts named in the schedule to this Order shall be taken in respect of the matters mentioned in the same schedule.

Disposal of Fees.

11. All fees authorised to be taken under this Order shall be applied to general revenue.

A. W. FitzRoy.

Schedule.

TABLE OF MAXIMUM FEES TO BE PAID ON THE REGISTRATION, TRANSFER, AND MORTGAGE OF SHIPS.

1. Registration.

1. On Initial Registry—

	£	s.	d.
Vessels under 50 tons gross - - - -	1	0	0
" 50 to 100 " - - - -	1	10	0
" 100 to 200 " - - - -	2	0	0

with 10s. for every additional 100 tons or fraction of 100.

2. Transfer and Mortgage.

2. On transfer, transmission, registry anew, transfer of registry, mortgage, and transfer of mortgage.

According to the gross tonnage represented by the ships or shares of ships transferred, &c. (e.g. the transfer of a $\frac{1}{4}$ th share in a ship of 6,400 tons to be reckoned as the transfer of 100 tons).

	£	s.	c.p.
Under 10 tons - - - - -	0	2	4½
10 tons and under 20 tons - - - -	0	5	0
20 " " 30 " - - - -	0	7	4½
30 " " 40 " - - - -	0	10	0
40 " " 50 " - - - -	0	12	4½
50 " " 75 " - - - -	0	15	0
75 " " 100 " - - - -	0	17	4½
100 " " 125 " - - - -	1	0	0

and a further fee of 2s. 4½ c.p. for every additional 50 tons or part of 50 tons, up to 500 tons, after which 2s. 4½ c.p. for every 100 tons or part

Registration of Ships:—Cyprus Maritime Order. 39

of 100 tons. But the above fees shall not be payable in respect of vessels solely employed in fishing or sailing ships of under 100 tons.

	£	s.	c.p.
Inspection of register book - - - - -	0	4	0
Copy of register book - - - - -	1	0	0
Certificate of sale or mortgage - - - - -	0	8	0
Indorsing ownership on certificate of registry -	0	8	0
Provisional certificate of registry - - - - -	1	0	0
Pass for ship - - - - -	1	0	0
Change of master - - - - -	1	0	0
Alteration in register of name, rig, or tonnage-	0	10	0
For annexing the seal of office and signature to any document not mentioned in or other- wise provided for by this table.	0	4	0

For measurement of tonnage as under :—

		Register tonnage.			£	s.	c.p.
For a ship under	50 tons	-	-	-	1	0	0
" from	50 to 100 tons	-	-	-	1	10	0
" "	100 " 200 "	-	-	-	2	0	0
" "	200 " 500 "	-	-	-	3	0	0
" "	500 " 800 "	-	-	-	4	0	0
" "	800 " 1,200 "	-	-	-	5	0	0
" "	1,200 " 2,000 "	-	-	-	6	0	0
" "	2,000 " 3,000 "	-	-	-	7	0	0
" "	3,000 " 4,000 "	-	-	-	8	0	0
" "	4,000 " 5,000 "	-	-	-	9	0	0
" "	5,000 and upwards tons	-	-	-	10	0	0

For the inspection of the berthing or sleeping accommodation of the crew :—

	£	s.	c.p.
For each visit to the ship - - - - -	1	0	0

Provided as follows :—

- (a) The aggregate amount of the fees for any such inspection shall not exceed £2 whatever be the number of separate visits.
- (b) When the accommodation is inspected at the same time with the measurement of the tonnage no separate fee shall be charged for the inspection.

For the inspection of light and fog signals :—

	£	s.	c.p.
For each visit made to the ship on the applica- tion of the owner, and for each visit made where the lights or fittings are found de- fective - - - - -	1	0	0
Provided that the aggregate amount of fees for any such inspection shall not exceed £2 whatever be the number of separate visits.			

For the inspection of the marking of a ship :—

For each visit made to the ship on the applica- tion of the owner, and for each visit made where the provisions of the Merchant Ship- ping Acts with respect thereto have not been complied with - - - - -	1	0	0
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Provided as follows :—

- (a) The aggregate amount of the fees for any such inspection shall not exceed £1 whatever be the number of separate visits.
- (b) When the marking of a ship is inspected at the same time with the inspection of light and fog signals, no separate fee shall be charged for the inspection.

(b) Registrar in British Possessions.

ORDER IN COUNCIL DECLARING THAT THE MASTER ATTENDANT AT SINGAPORE AND THE HARBOUR MASTERS AT PENANG AND MALACCA, SHALL BE REGISTRARS OF BRITISH SHIPS IN THE STRAITS SETTLEMENTS.

A. Straits Settlements.

At the Court at Windsor, the 9th day of July, 1869.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act, 1854,* it is provided that the following persons are required to register British ships, and shall be deemed to be registrars for the purpose of that Act (that is to say) at any port or place approved by the Commissioners of Customs for the registry of ships within the limits of the charter, but not under the government of the East India Company, and at which no custom-house is established, the collector of duties, together with the governor, lieutenant-governor, or other person administering the government.

And whereas by the Merchant Shipping (Colonial) Act, 1869,† it is provided that it shall be lawful for Her Majesty, by Order in Council, from time to time to declare, with respect to the British possession mentioned in the Order, the description of persons who are to be registrars of British ships in that British possession, and to revoke any Order so made; and that after the date specified in the Order, or if no date is specified, after the date of the proclamation of the Order in the British possession, the Order shall have effect as if it were contained in Section 30 of the Merchant Shipping Act, 1854.*

And whereas at Singapore, Penang, and Malacca ports, or places within the Straits Settlements, no custom-house is established; and whereas the legislative council of the Straits Settlements have, by an Ordinance (No. 3) of the twenty-fourth day of March, One thousand eight hundred and sixty-nine, provided that the officers for the time being acting as master attendant at Singapore, and harbour masters at Penang and Malacca, shall be registrars of shipping under the Imperial Merchant Shipping Act, 1854.*

Now, therefore, Her Majesty, by virtue of the powers vested in Her, by the said recited Acts, and by and with the advice of Her Privy Council is pleased to declare and direct

* 17 & 18 Vict. c. 104. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† 32 & 33 Vict. c. 11. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

that the officers for the time being acting as master attendant at Singapore, and harbour masters at Penang and Malacca, shall, from and after the date of the proclamation of this Order in the Straits Settlements, be registrars of British ships in the Straits Settlements.

B. Gibraltar.

ORDER IN COUNCIL DECLARING THAT THE CAPTAIN OF THE PORT IN GIBRALTAR SHALL BE A REGISTRAR OF BRITISH SHIPS IN THAT POSSESSION.*

At the Court at Windsor, the 11th day of July, 1877.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Lord Chamberlain,
Mr. Secretary Cross.

Whereas by the 30th Section of the Merchant Shipping Act, 1854,† it is among other things enacted, that the following person is required to register British ships, and shall be deemed a registrar for the purpose of that Act, that is to say, in Gibraltar, the governor, lieutenant-governor, or other person administering the government of such place :

And whereas by the 6th Section of the Merchant Shipping (Colonial) Act, 1869, it is enacted that . . . [*Here follows the second recital to the Order of July 9, 1869, relating to Straits Settlements, printed at p. 40 above*] :

And whereas it is expedient that the captain of the port, or any other person discharging the duties of captain of the port, in the British possession of Gibraltar, should be a registrar of British ships in that British possession.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in pursuance of the powers vested in

* The publication in Gibraltar of this Order was directed by the following Government notice :—

Colonial Secretary's Office,
Gibraltar, 8th August, 1877.

His Excellency the Governor has been pleased to direct the publication of the following Order of Her Majesty in Council, dated the 11th day of July, 1877, appointing the captain of the port, or any other person discharging the duties of captain of the port in Gibraltar to be a registrar of British shipping, for general information.

By command,
Robert S. Baines,
Colonial Secretary.

† 17 & 18 Vict. c. 104. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

Her by the said Merchant Shipping (Colonial) Act, 1869,* doth hereby order and declare that in Gibraltar the captain of the port, or other person discharging the duties of captain of the port, be, and he is hereby declared to be a registrar of British shipping in that British possession.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.

C. Tasmania.

ORDER IN COUNCIL DECLARING THAT THE CHIEF CLERK OF THE CUSTOMS IN TASMANIA SHALL BE A REGISTRAR OF BRITISH SHIPS IN THAT POSSESSION.

At the Court at Windsor Castle, the 23rd day of November, 1893.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Lord Steward,

Lord Kensington.

Whereas by Section 30 of the Merchant Shipping Act, 1854,† it is provided as follows :—

“The following persons are required to register British ships and shall be deemed registrars for the purposes of this Act (that is to say) :—

- (1.) At any port or other place in the United Kingdom or Isle of Man approved by the Commissioners of Customs for the registry of ships, the collector, comptroller, or other principal officer of Customs for the time being :
- (2.) In the Islands of Guernsey and Jersey, the principal officers of Her Majesty's Customs, together with the governor, lieutenant-governor, or other person administering the government of such islands respectively :
- (3.) In Malta, Gibraltar, and Heligoland, the governor, lieutenant-governor, or other person administering the government of such places respectively :
- (4.) At any port or place so approved as aforesaid within the limits of the charter but not under the government of the East India Company and at which no

* 32 & 33 Vict. c. 11 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† 17 & 18 Vict. c. 104 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

Custom-house is established, the collector of duties, together with the governor, lieutenant-governor, or other person administering the government :

- (5.) At the ports of Calcutta, Madras, and Bombay, the master attendants, and at any other port or place so approved as aforesaid within the limits of the charter and under the government of the East India Company, the collector of duties, or any other person of six years' standing in the Civil Service of the said company who is appointed by any of the governments of the said company to act for this purpose :
- (6.) At every other port or place so approved as aforesaid within Her Majesty's dominions abroad, the collector, comptroller, or other principal officer of Customs or of navigation laws, or if there is no such officer resident at such port or place, the governor, lieutenant-governor, or other person administering the government of the possession in which such port or place is situate :

And whereas by Section 31 of the said Act it is provided as follows :—

“The governor, lieutenant-governor, or other person administering the government in any British possession where any ship is registered under the authority of this Act shall with regard to the performance of any act or thing relating to the registry of a ship or of any interest therein be considered in all respects as occupying the place of the Commissioners of Customs, and any British consular officer shall in any place where there is no justice of the peace be authorised to take any declaration hereby required or permitted to be made in the presence of a justice of the peace :”

And whereas by Section 6 of the Merchant Shipping (Colonial) Act, 1869,* it is provided as follows :—

“It shall be lawful for Her Majesty, by Order in Council from time to time to declare with respect to the British possession mentioned in the Order the description of persons who are to be registrars of British ships in that British possession and to revoke any Order so made.”

“After the date specified in the Order, or, if no date is specified, after the date of the proclamation of the Order in the British possession, the Order shall have effect as if it were contained in Section 30 of the Merchant Shipping Act, 1854.†

* 32 & 33 Vict. c. 11 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 17 & 18 Vict. c. 104 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

And whereas it is deemed expedient to declare with respect to the British Possession of Tasmania, the description of persons who are to be registrars of British ships in that Possession :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Merchant Shipping (Colonial) Act, 1869,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the date of the proclamation of this Order in the Possession of Tasmania, the description of persons who are to be registrars of British ships in that possession shall be, besides the collector of Customs, the chief clerk of the Customs for the time being.

C. L. Peel.

(c) Forms.

ORDER OF THE BOARD OF CUSTOMS, DATED MAY 5, 1896,
AS TO REVISED REGISTRY FORMS.

1896. No. 350.

Revised Registry Forms.

19

General Order 1896.

Sec^y. Customs.

No. $\frac{3768}{1866}$.

Custom House, London,
5th May, 1896.

With reference to Section 65 of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60), and to General Order ~~1894~~¹⁸⁹⁶, the Commissioners have now, with the consent of the Board of Trade, prescribed the Forms specified in Part II. of Schedule I. of the above Act. They have also, with the consent of the Board of Trade, approved of the revision of the Forms specified in Part I., Schedule I., of the above Act.

The following list embraces the Forms in question, viz. :—

Form No. 1. Certificate of survey.

„ 2. Declaration of ownership by individual.
Resident or non-resident owner or transferee a natural born subject.

„ 3. Declaration of ownership by individual.
Owner or transferee resident in Her Majesty's dominions (naturalised subject, &c.).

* 32 & 33 Vict. c. 11 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

- Form No. 4. Declaration of ownership by individual.
Owner or transferee *not* resident in Her Majesty's dominions (naturalised subject, &c.).
- „ 5. Declaration by joint owners or transferees attending together.
- „ 6. Declaration by a joint owner or transferee.
- „ 7. Declaration of ownership (special cases).
- „ 8. Declaration of ownership on behalf of a body corporate.
- „ 9. Certificate of British registry.
- „ 10. Bill of sale.
- „ 11. Mortgage (to secure principal sum and interest).
- „ 12. Mortgage (to secure account current, &c.).
- „ 13. Declaration by representative of a deceased owner or mortgagee taking by transmission.
- „ 14. Declaration of ownership or interest on transmission by bankruptcy.
- „ 15. Declaration on transmission by marriage.
- „ 16. Certificate of mortgage.
- „ 17. Certificate of sale.
- „ 18. Revocation of certificate of mortgage or sale.
- „ 18a. Provisional certificate.

The forms now prescribed are to be adopted in the British Islands on and after the 1st July next. Any of the previous forms remaining on hand on that date are to be treated as waste paper. A supply of the Forms No. 2 to No. 18, inclusive, can be obtained on application in the usual manner to the 2nd Division of the secretary's office. Form No. 1, certificate of survey, and No. 18a, provisional certificate, which are not in use by officers of this department, will be obtained, kept, and issued by the Board of Trade.

A copy of the enclosed notice which has been prepared in accordance with paragraph 2 of Section 65 of the Merchant Shipping Act, 1894, is to be posted up at all places where registry transactions may take place.

By Order of the Board,

John Courroux.

2. Masters and Seamen.

- | | |
|--|--|
| (i.) <i>Certificates to Officers,</i>
<i>p. 46.</i>
(ii.) <i>Provisions, Health,</i>
<i>and Accommoda-</i>
<i>tion, p. 58.</i> | (iii.) <i>Termination of Sea-</i>
<i>men's Services, p.</i>
<i>67.</i>
(iv.) <i>Foreign Deserters, p.</i>
<i>72.</i> |
|--|--|

(i.) Certificates to Officers.

ORDER IN COUNCIL DECLARING CERTAIN CERTIFICATES OF COMPETENCY GRANTED BY THE COLONIAL EXECUTIVES OF CANADA, MALTA, VICTORIA, NEW ZEALAND, NEW SOUTH WALES, SOUTH AUSTRALIA, TASMANIA, BENGAL, NEW-FOUNDLAND, BOMBAY, QUEENSLAND, HONG KONG, THE STRAITS SETTLEMENTS, AND MAURITIUS, EQUIVALENT TO THOSE GRANTED BY THE BOARD OF TRADE, AND MAKING REGULATIONS AS TO SUCH CERTIFICATES.

At the Court at Windsor, the 9th day of May, 1891.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
 Lord Steward,

Earl of Coventry.

Whereas by the Merchant Shipping (Colonial) Act, 1869,* it is (amongst other things) enacted that, where the legislature of any British possession provides for the examination of, and grant of certificates of competency to, persons intending to act as masters, mates, or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to merchant shipping, and that the certificates are granted on such principles as to show the like qualification and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons, and in the like manner, it shall be lawful for Her Majesty, by Order in Council—

1. To declare that the said certificates shall be of the same force as if they had been granted under the said Acts :

2. To declare that all or any of the provisions of the said Acts which relate to certificates of competency granted under those Acts shall apply to the certificates referred to in the said Order.

3. To impose such conditions and to make such regulations with respect to the said certificates, and to the use, issue delivery, cancellation, and suspension thereof, as to Her

* 32 & 33 Vict. c. 11 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations :

And that upon the publication in the "London Gazette" of any such Order in Council as that last aforesaid, the provisions therein contained shall, from a date to be mentioned for the purpose in such Order, take effect as if they had been contained in the Act, and that it shall be lawful for Her Majesty in Council to revoke any Order made as aforesaid :

And whereas by the Merchant Shipping Act, 1876,* it is provided that Her Majesty may, by Order in Council, revoke alter, or add to any Order in Council made by Her under the Merchant Shipping Acts :

And whereas by the Order in Council of the nineteenth day of August, One thousand eight hundred and eighty-nine,† Her Majesty was pleased to declare that, subject to certain exceptions, conditions, and regulations therein contained or set out in the schedule thereto, the colonial certificates granted as follows, viz. :—

1. On or after the nineteenth day of August, one thousand eight hundred and seventy-one, by the Minister of Marine and Fisheries in Canada, to persons intending to act as masters or mates on board British ships ;
2. On and after the twelfth day of May, One thousand eight hundred and seventy-four, by the head of the government of the Possession of Malta and its dependencies, to persons intending to act as masters, mates, or engineers on board British ships, that is to say, to masters of the first class or masters of a foreign-going ship, to mates of the first class or first mate of a foreign-going ship, to mates of the second class or second mate of a foreign-going ship, to engineers of the first class or first-class engineers, and to engineers of the second class or second-class engineers.
3. On and after the fourth day of January, One thousand eight hundred and seventy, by the Steam Navigation Board of Victoria,‡ to persons intending to act as masters, mates, or engineers of British sea-going steamships ;
4. On and after the first day of May, One thousand eight hundred and seventy-two, by the governor for the time being of the Possession of New Zealand, to persons intending to act as masters, mates, or engineers on board British ships ;

* 39 & 40 Vict. c. 80.

† Published in "London Gazette," August 23, 1889, pp. 4589-4592.

‡ This Board was on December 21, 1888 superseded by the Marine Board of Victoria, see Order of 1893 printed below as to certificates granted by this last-named Board.

5. On and after the eighteenth day of June, One thousand eight hundred and seventy-two, by the Marine Board of the Possession of New South Wales, to persons intending to act as masters, first mates, or second mates, or as first-class engineers, or as second-class engineers on board British ships ;
6. On and after the twelfth day of May, One thousand eight hundred and seventy-four, by the Marine Board of the Possession of South Australia, to persons intending to act as masters, first mates, only mates, or second mates, or first-class engineers, or second-class engineers on board British ships ;
7. On and after the first day of April, One thousand eight hundred and seventy-six, by the governor of the Possession of Tasmania, to persons intending to act as masters, mates, or engineers on board British ships ;
8. On and after the twenty-seventh day of June, One thousand eight hundred and seventy-six, by the lieutenant-governor of the Possession of Bengal, to persons intending to act as masters, mates, or engineers on board British ships ;
9. On and after the fourteenth day of May, One thousand eight hundred and seventy-seven, by the governor of the Possession of Newfoundland, to persons intending to act as masters or mates on board British ships ;
10. On and after the eleventh day of July, One thousand eight hundred and seventy-seven, by the governor of the Possession of Bombay, to persons intending to act as masters, mates, or engineers on board British ships ;
11. On and after the first day of October, One thousand eight hundred and seventy-seven, by the Marine Board of the Possession of Queensland, to persons intending to act as masters, mates, or engineers on board British ships ;
12. On and after the first day of January, One thousand eight hundred and eighty-four, by the governor of the Possession of Hong-Kong, to persons intending to act as masters, mates, or engineers on board British ships ;
13. On and after the first day of January, One thousand eight hundred and eighty-seven, by the minister of marine and fisheries in the Possession of Canada, to persons intending to act as first-class engineers or second-class engineers of sea-going British ships ;
14. On and after the first day of August, One thousand eight hundred and eighty-eight, by the governor of the Possession of the Straits Settlements, to persons intending to act as first-class engineers and second-class engineers of sea-going British ships ;

And whereas by the Order in Council of the first day of May, One thousand eight hundred and ninety,* Her Majesty was pleased to declare that, subject to certain exceptions, conditions, and regulations therein contained or set out in the schedule thereto, the colonial certificates granted

15. On and after the first day of June, One thousand eight hundred and ninety, by the governor of the Possession of the Straits Settlements, to persons intending to act as masters, first mates, and second mates of sea-going British ships ;

And whereas by the Order in Council of the twenty-second day of November, One thousand eight hundred and ninety,† Her Majesty was pleased to declare that, subject to certain exceptions, conditions, or regulations therein contained or set out in the schedule thereto, the colonial certificates granted

16. On and after the first day of January, One thousand eight hundred and ninety-one, by the governor of the Possession of Mauritius, to persons intending to act as masters, first mates, and second mates, of sea-going British ships ;

should be of the same force as if they had been granted under the said Acts, and subject to the conditions and regulations imposed and made by the Board of Trade, and set out in the schedules to the said recited Orders in Council respectively :

And whereas it has been made to appear to Her Majesty that it is expedient that the conditions and regulations set out in the said recited Orders in Council and the schedules thereto should be rescinded and the said recited Orders in Council revoked, and a new Order in Council containing such modified and amended conditions and regulations substituted in lieu thereof :

Now, therefore, Her Majesty, by and with the advice and consent of Her Privy Council, is hereby pleased—

1. To declare that the colonial certificates of competency granted—

- (a) by the Minister of Marine and Fisheries in Canada, from and after the nineteenth day of August, One thousand eight hundred and seventy-one, to persons intending to act as masters or mates on board British ships, and from and after the first day of January, One thousand eight hundred and eighty-seven, to persons intending to act as first-class engineers or second-class engineers of sea-going British ships ;

* Published in Statutory Rules and Orders, 1890, pp. 825-833, and in "London Gazette," May 6, 1890, p. 2598.

† Published in Statutory Rules and Orders, 1890, pp. 830-835, and in "London Gazette," November 25, 1890, p. 6456.

- (b) by the head of the government of the Possession of Malta and its dependencies, from and after the twelfth day of May, One thousand eight hundred and seventy-four, to persons intending to act as masters, mates, or engineers on board British ships, that is to say:—To masters of the first-class, or masters of a foreign-going ship, to mates of the first class or first mate of a foreign-going ship, to mates of the second class or second mate of a foreign-going ship, to engineers of the first class or first-class engineers, and to engineers of the second class or second-class engineers;
- (c) by the Steam Navigation Board of Victoria appointed by the government of the Possession of Victoria, from and after the fourth day of January, One thousand eight hundred and seventy, to persons intending to act as masters, mates, or engineers of British sea-going ships;
- (d) by the governor for the time being of the Possession of New Zealand, from and after the first day of May, One thousand eight hundred and seventy-two, to persons intending to act as masters, mates, or engineers on board British ships;
- (e) by the Marine Board of the Possession of New South Wales, from and after the eighteenth day of June, One thousand eight hundred and seventy-two, to persons intending to act as masters, first mates, or second mates, or as first-class engineers, or as second-class engineers on board British ships;
- (f) by the Marine Board of the Possession of South Australia, from and after the twelfth day of May, one thousand eight hundred and seventy-four, to persons intending to act as masters, first mates, only mates, or second mates, or first-class engineers, or second-class engineers, on board British ships;
- (g) by the governor of the Possession of Tasmania, from and after the first day of April, One thousand eight hundred and seventy-six, to persons intending to act as masters, mates, or engineers on board British ships;
- (h) by the lieutenant-governor of the Possession of Bengal, from and after the twenty-seventh day of June, One thousand eight hundred and seventy-six, to persons intending to act as masters, mates, or engineers on board British ships;
- (i) by the governor of the Possession of Newfoundland, from and after the fourteenth day of May, One thousand eight hundred and seventy-seven, to persons intending to act as masters or mates on board British ships.

- (k) by the governor of the Possession of Bombay, from and after the eleventh day of July, One thousand eight hundred and seventy-seven, to persons intending to act as masters, mates, or engineers on board British ships ;
- (l) by the Marine Board of the Possession of Queensland, from and after the first day of October, one thousand eight hundred and seventy-seven, to persons intending to act as masters, mates, or engineers on board British ships ;
- (m) by the governor of the Possession of Hong Kong, from and after the first day of January, One thousand eight hundred and eighty-four, to persons intending to act as masters, mates, or engineers on board British ships : .
- (n) by the governor of the Possession of the Straits Settlements, from and after the first day of August, One thousand eight hundred and eighty-eight, to persons intending to act as first-class engineers and second-class engineers of sea-going British ships ;
- (o) by the governor of the Possession of the Straits Settlements, from and after the first day of June, One thousand eight hundred and ninety, to persons intending to act as masters, first mates, and second mates of sea-going British ships ;
- (p) by the governor of the Possession of Mauritius, from and after the first day of January, One thousand eight hundred and ninety-two, to persons intending to act as masters, first mates and second mates of sea-going British ships.

shall be of the same force as if they had been granted under the said Acts :

2. To declare that all the provisions of the said Acts which relate to certificates of competency for the foreign trade granted under those Acts, except :—

So much of the third sub-section of the twenty-third Section of the Merchant Shipping Act Amendment Act, 1862,* as requires, at the conclusion of a case relating to the cancelling or suspending of a certificate, such certificate, if cancelled or suspended, to be forwarded to the Board of Trade ; and the whole of the provisions of the fourth sub-section of the same section :

shall apply to such colonial certificates of competency as are in paragraph 1 of this Order, referred to ; provided, however, that in the case of New Zealand the foregoing exceptions shall not interfere with or suspend the operation of an Act of

* 25 & 26 Vict. c. 63 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

the Legislature of New Zealand, intituled the Merchant Shipping Act Adoption Act, 1869 (32 & 33 Vict. No. 5); and provided that Section 139 of the Merchant Shipping Act, 1854,* and Section 10 of the Merchant Shipping Act Amendment Act, 1862,† shall, for the purpose of their application to such certificates of competency as aforesaid, be construed as not referring to the Board of Trade, but as referring to the authority mentioned in the interpretation clause of Schedule A. to this Order, which granted the certificate which has been lost or is to be replaced :

3. To impose and make the regulations set out in the Schedule A. hereto, numbered 1 to 12 respectively, with respect to the said colonial certificates of competency, and to the use, issue, delivery, cancellation, and suspension thereof, and to impose for the breach of such regulations the penalties therein mentioned.

4. To revoke the conditions and regulations set out in the schedules to the said recited Orders in Council, and to substitute therefor the regulations set out in the Schedule A. hereto numbered 1 to 12 respectively, and to declare that, from and after the time when this Order takes effect, the regulations set out in the Schedule A. hereto shall apply to all colonial certificates that may heretofore have been or shall be hereafter granted as aforesaid.

5. To declare that this Order shall take effect in the said possessions respectively which are enumerated in the Schedule B. hereto immediately from and after the publication of this Order in such possessions respectively, and that all certificates granted in the said possessions subsequently to the dates named in the Schedule B. and before this Order comes into force, shall have the same effect, and be of the same value, and confer the same privileges on the holders thereof, as if granted after this present Order :

6. To direct that the said herein-before recited Orders in Council shall be revoked in each of the said possessions on the day on which this Order takes effect therein as provided in the preceding paragraph (5) hereof ; provided, however, that the revocation of the said Orders in Council shall not affect or invalidate any colonial certificate of competency previously granted to which the said Orders in Council apply, or affect the validity or invalidity of anything done under the said Orders in Council before this Order takes effect or any obligation heretofore incurred.

7. A copy of this Order shall forthwith, after the publication thereof in the "London Gazette,"‡ be forwarded to the governor, lieutenant-governor, administrator, or head of the

* 17 & 18 Vict. c. 104.

† 25 & 26 Vict. c. 63.

‡ This Order was gazetted on May 15th, 1893.

government of each of the said enumerated possessions, who shall, immediately upon the receipt of such copy, publish this Order, and the Secretary of State for the Colonies and the Secretary of State for India in council are hereby required to take in that behalf.

C. L. Peel.

Schedule A.

REGULATIONS with respect to the use, issue, delivery, cancellation, and suspension of colonial certificates of competency.

Interpretation Clause.

In the construction and for the purposes of these regulations, the following terms shall have the respective meanings hereinafter assigned to them, that is to say :—

" *Colonial certificate of competency* " or " *colonial certificate* " shall mean a certificate of competency granted under the authority of the legislature or legislative authority of one of the British possessions in Schedule B. hereto mentioned, to persons intending to act or acting as masters, mates, or engineers of British ships.

" *Authority* " shall mean the governor, lieutenant-governor, administrator, head of the government, minister, board, body, or corporation of or in any British possession for the time being authorised by the legislature or legislative authority of such possession to grant colonial certificates of competency.

" *Certificate* " shall mean a certificate of competency.

REGULATIONS.

Form of Certificate.

1. A colonial certificate of competency shall be on parchment, and as nearly as possible similar in shape and form to the corresponding certificate of competency for the foreign trade granted by the Board of Trade under the Acts relating to merchant shipping.

Name of Possession to be inserted.

2. A colonial certificate of competency shall have the name of the British possession in which the same is granted inserted prominently on its face and back.

Certificates to be numbered consecutively.

3. The colonial certificates of competency granted in each British possession shall be numbered in consecutive order.

List of Certificates granted, cancelled, &c., to be sent to Registrar-General of Seamen.

4. The authority in each British possession shall furnish the Registrar-General of Seamen in London, from time to time, with accurate lists of all such colonial certificates of competency as may be granted therein, or as may, for any case whatsoever, be cancelled, suspended, renewed, or re-issued ; and shall also furnish him with duplicates of the applications for examination made by the persons to whom such certificates are granted.

Certificates to be granted only upon proof of service at sea.

5. A colonial certificate of competency shall be granted only upon proof that the previous service at sea of the person applying for the same has been such as is required by the regulations for the time being in force in the United Kingdom with respect to certificates of the like grade.

Certificates of competency granted contrary to this regulation, or upon any false, incorrect, or insufficient proof, certificate, or report of service, qualification, conduct, or character shall be regarded as improperly granted.

Certificates not to be granted when former are cancelled.

6. A colonial certificate of competency shall not be granted to any person who may have had a certificate, whether granted by the Board of Trade or by the authority of a British possession, cancelled or suspended under the provisions of the said Acts or of any Act or Ordinance for the time being in force in any part of Her Majesty's dominions, unless—

- (i.) in accordance with Regulation No. 7.
- (ii.) or the same is a certificate of a lower grade than the one so cancelled or suspended, and is issued upon the recommendation of the Court or authority which cancelled or suspended the original certificate ;
- (iii.) or the period of suspension has expired ;
- (iv.) or intimation has been received from the Board of Trade or the authority by whom the cancelled or suspended certificate was originally granted to the effect that no objection to the grant of such colonial certificate is known to exist.

Before a certificate is returned in accordance with sub-section (iii.) any certificate which may have been granted temporarily or pending the suspension must be delivered up, and it shall be returned to the authority by whom it was granted.

Colonial certificates of competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates which may be granted after a Certificate has been cancelled or suspended.

7.—(1.) It shall be lawful for the governor or person administering the government of the British possession in which a certificate has been cancelled or suspended if, after full investigation of all the circumstances, he thinks the justice of the case requires it ;

- (a) If the certificate was granted in the colony, to return the certificate which has been cancelled or suspended, or to shorten the time for which it is suspended, or to grant or request the authority of the possession to grant a certificate of the same or any lower grade in place of the certificate which has been cancelled or suspended.
- (b) If the cancelled or suspended certificate was granted by the authority of another colony, to request such authority to return the certificate which has been cancelled or suspended, or to shorten the time for which it is suspended, or to grant a certificate of the same or any lower grade in place of the certificate which has been cancelled or suspended.
- (c) If in the opinion of such governor or person administering the government of the British possession the justice of the case requires the issue of a colonial certificate without delay to the person whose certificate has been cancelled or suspended, the governor or person administering the government aforesaid (in addition to acting upon sub-section b of this regulation) to issue or request the authority in such British possession to issue a certificate of the same or any lower grade in place of the certificate which has been cancelled or suspended, which substituted certificate is to be in force for such limited period as such governor or person administering as aforesaid shall in that behalf direct and no longer.
- (d) If the cancelled or suspended certificate was granted by the Board of Trade, to issue or request the authority of the possession to issue a colonial certificate of the same or any lower grade in place of the cancelled or suspended certificate, and such substituted certificate is to be in force for such limited period as such governor or person administering as aforesaid shall in that behalf direct and no longer ; and the governor or person aforesaid shall also cause the Board of Trade to be informed of his act.

(2.) If a colonial certificate is cancelled or suspended in the United Kingdom the Board of Trade may, if in their opinion the justice of the case requires it, return or request the authority by whom such certificate was granted to return any certificate which has been cancelled or suspended, or shorten or request such authority to shorten the time for which it was suspended, or request such authority to issue a certificate of the same or any lower grade in place of the certificate which has been cancelled or suspended.

(3.) Whenever the authority by whom a cancelled or suspended certificate was originally issued is requested by the governor or person administering the government of a British possession in accordance with section (1) of this regulation, or by the Board of Trade in accordance with section (2) of this regulation, to return any certificate which has been cancelled or suspended, or to shorten the time for which it is suspended, or to issue a certificate of the same or any lower grade in place of any certificate which has been so cancelled or suspended, the authority so requested as aforesaid shall forthwith return any certificate which has been cancelled or suspended or shorten the time for which it was suspended, or issue a certificate accordingly (as the case may be).

(4.) In all cases in which the powers given by this regulation are exercised, a report of the case shall be sent by the governor or person administering the possession in which the powers are exercised to the authority by whom the cancelled or suspended certificate was granted.

Certificates improperly granted may be cancelled without formal investigation.

8. A colonial certificate of competency which appears from information subsequently acquired, or otherwise, to have been improperly granted, may (without any formal investigation, under the Merchant Shipping Act, 1854,* or the Acts amending the same) be cancelled by the authority by which the same was granted, or by the Board of Trade in the United Kingdom, and the holder of such certificate shall thereupon deliver it to the Board of Trade or such authority, or as they or either of them may direct, and in default thereof shall incur a penalty not exceeding fifty pounds, which shall be recoverable in the manner in which penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable, or in such other summary proceedings as the law of any British possession where the holder may be may allow or permit to be brought for the recovery thereof.

Cancellation, &c., of a Certificate shall involve cancellation of all the other Certificates possessed by its Owner.

9. Every decision with respect to the cancellation or suspension of a certificate pronounced by any board, court, or tribunal under the provisions of the said Acts, shall, unless otherwise directed, extend equally to all the colonial certificates at the time possessed by the person in respect of whom the decision is made.

Certificates believed to be fraudulent may be demanded.

10. Any officer of the Board of Trade, or the Registrar-General of Seamen, or any of his officers, or a superintendent of a mercantile marine office, or a Consular officer, or duly appointed shipping officer in a British possession, may demand the delivery to him of any colonial certificate of competency which he has reason to believe has been improperly issued, or is forged, altered, cancelled, or suspended, or to which the person using it is not justly entitled, and may detain such certificate for a reasonable period for the purpose of making inquiries respecting such issue, forgery, alteration, cancellation, suspension, or possession, and any person who, without reasonable cause, neglects or

refuses to comply with such demand shall incur a penalty not exceeding twenty pounds or its equivalent in local currency, which shall be recoverable in the manner in which penalties imposed by the Acts relating to merchant shipping are thereby made recoverable, or in such other summary proceedings as the law of any British possession where such person may be may allow or permit to be brought for the recovery thereof.

Suspended Certificates to be re-issued only by Colony by which originally granted.

11. Subject to these regulations a colonial certificate of competency which has, from any cause, been cancelled or suspended, shall be renewed or re-issued only by the authority by which the same was originally granted.

Colonial Certificates, when cancelled or suspended, to be sent to the Authority which granted them.

12. Whenever a colonial certificate is cancelled or suspended the board, court, or tribunal cancelling or suspending the same shall send to the authority by whom the certificate was granted a full report upon the case, together with a copy of the evidence taken therein, and also the certificate which has been cancelled or suspended.

Schedule B.

Possession.	Nature of Certificate.	Date.
Canada - - -	Masters and mates - - -	19th August, 1871.
" - - -	First-class engineers and second-class engineers.	1st January, 1887.
Malta and its dependencies	Masters, mates, and engineers -	12th May, 1874.
Victoria - - -	Masters, mates, and engineers -	4th January, 1870.
New Zealand - - -	Masters, mates, and engineers -	1st May, 1872.
New South Wales - -	Masters, first mates or second mates, and first-class engineers or second-class engineers.	18th June, 1872.
South Australia - - -	Masters, first mates, only mates or second mates, and first-class engineers or second-class engineers.	12th May, 1874.
Tasmania - - -	Masters, mates, and engineers -	1st April, 1876.
Bengal - - -	Masters, mates, and engineers -	27th June, 1876.
Newfoundland - - -	Masters and mates - - -	14th May, 1877.
Bombay - - -	Masters, mates, and engineers -	11th July, 1877.
Queensland - - -	Masters, mates, and engineers -	1st October, 1877.
Hong Kong - - -	Masters, mates, and engineers -	1st January, 1884.
Straits Settlements -	First class engineers and second-class engineers.	1st August, 1888.
" - - -	Masters, first mates, and second mates.	1st June 1890.
Mauritius - - -	Masters, first mates, and second mates.	1st January 1891.

ORDER IN COUNCIL BRINGING THE CERTIFICATES OF COMPETENCY GRANTED BY THE MARINE BOARD OF VICTORIA WITHIN THE PROVISIONS OF THE ORDER IN COUNCIL OF MAY 9, 1891.

At the Court at Windsor, the 23rd day of November 1893.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Lord Steward,

Lord Kensington.

Whereas [*Here follow the first two recitals to the Order in Council of May 9, 1881, printed at p. 46, above.*]

And whereas by the Order in Council of the ninth day of May One thousand eight hundred and ninety-one,* Her Majesty was pleased to declare *inter alia* that subject to certain exceptions, conditions and regulations therein contained or set out in the schedule thereto, the Colonial Certificates of Competency granted by the Steam Navigation Board of Victoria, appointed by the Government of the Possession of Victoria, from and after the fourth day of January One thousand eight hundred and seventy, to persons intending to act as masters, mates, or engineers of British sea-going ships should be of the same force as if they had been granted under the said Acts and subject to the conditions and regulations imposed and made by the Board of Trade and set out in the schedules to the said recited Order in Council :

And whereas the Steam Navigation Board of Victoria was, on the twenty-first day of December, One thousand eight hundred and eighty-eight, superseded by the Marine Board of Victoria, and such last-mentioned Board is now, by virtue of the Marine Board Act, 1887, No. 965, and the Marine Act, 1890, No. 1,165, of the Legislature or Legislative Authority of Victoria, the authority authorised to grant Colonial Certificates of Competency in that Possession.

And whereas it has been made to appear to Her Majesty that it is expedient that the Colonial Certificates of Competency granted by the Marine Board of Victoria should be of the same force as those heretofore granted by the Steam Navigation Board of Victoria :

Now therefore, Her Majesty, by and with the advice and consent of Her Privy Council, is hereby pleased :—

To declare that the Colonial Certificates of Competency granted by the Marine Board of Victoria from and after the twenty-first day of December, One thousand eight hundred and eighty-eight, to persons intending to act as masters, mates, or engineers of British sea-going ships

* Printed at p. 46, above.

shall be of the same force as if they had been granted under the said Acts relating to Merchant Shipping, and shall be subject to the same conditions and regulations as are set out in Schedule A to the aforesaid Order in Council of the ninth day of May, one thousand eight hundred and ninety-one.*

C. L. Peel.

(ii.) Provisions, Health, and Accommodation.

RULES, DATED MARCH 11, 1893, MADE BY THE BOARD OF TRADE FOR THE INSPECTION OF PROVISIONS AND WATER UNDER THE MERCHANT SHIPPING ACT, 1892 (55 & 56 Vict. c. 37).

At the Council Chamber, Whitehall, this 11th day of March, 1893.

PRESENT:

The Right Honourable Anthony J. Mundella, M.P., etc.

In pursuance of the provisions of the Merchant Shipping Act, 1892,† the Board of Trade do hereby make the annexed Rules, and do hereby direct that these Rules shall come into operation on the 1st day of June, 1893.

A. J. Mundella,
President.

RULES FOR THE INSPECTION OF PROVISIONS AND WATER, UNDER THE MERCHANT SHIPPING ACT, 1892.

Application
of rules.

1. These rules apply to all ships trading or going from any port of the United Kingdom through the Suez Canal or round the Cape of Good Hope or Cape Horn.

Prescribed
officer.

2. The officer to conduct an inspection of ship's stores under the Merchant Shipping Act, 1892, shall be any officer appointed by the Board of Trade for this purpose.

What stores
to be in-
spected.

3. All the different varieties of stores provided or carried in the ship which are referred to in Section 3 of the above-mentioned Act, as well as the supply of water, are subject to inspection.

Where
new stores to
be inspected.

4. New stores shall be inspected before shipment whenever practicable, or alongside the ship in which they are to be used; but, if necessary, they may be inspected on board the ship, or they may in certain cases be inspected in some place provided or approved by the Board of Trade for that purpose, as may be decided by the inspector acting under the instructions of the Board of Trade.

* Printed at p. 46, above.

† Repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Masters and Seamen :—Inspection of Provisions and Water. 59

5. All surplus stores left over from a previous voyage are to be inspected, and the contents of all the casks of wet provisions amongst such surplus stores are to be turned out. Such stores are to be inspected on board or alongside the ship, or in such other place as may be provided or approved by the Board of Trade for that purpose, as may be decided by the inspector acting under the instructions of the Board of Trade. All surplus stores to be inspected.
6. Stores carried in the ship in which they are to be used from one port to another port in the United Kingdom, or sent from one port to a ship at another port, which have passed the Board of Trade inspector at the first port, as described in a form of advice (P.W. 8.) signed by the inspector who examined them, need not be re-examined; provided always that the official wire and seal remain intact, and that the inspector is satisfied that the packages have not been tampered with. Passed stores sent to another port.
7. All notices for inspection of stores to take place at the port where the ship is lying must be made to the inspector of that port, or in such other manner as may from time to time be determined by the Board of Trade, by the owner or agent of the ship on the appropriate form (P.W. 1), which must be filled in and delivered to the inspector at least 48 hours prior to the time at which it is desired that the stores should be inspected. Notice for inspection when ship is at the port.
8. Notice for inspection of stores intended to be used on any voyage mentioned in the Act, but which it is proposed to carry to some other port in the United Kingdom from which the vessel is to take her final departure, or stores intended to be sent to a ship at some other port in the United Kingdom, may be made by the firm supplying such stores direct to the inspector at the port where such stores may be. The notice must be given at least 48 hours previously on the form (P.W. 2) provided for the purpose. Notice for inspection of stores sent coastwise.
9. Prior to the inspection, a complete list of all the stores must be supplied to the inspectors. List of stores to be supplied.
10. Stores will be inspected at any time during daylight after 10 a.m. up to 5 p.m. Time of inspection.
- If it is found on the arrival of the inspector that the stores are not ready at the time named in the official notice, the inspection must be deferred.
11. The shipowner, master, or officers of a ship shall give the inspector every facility for inspecting the stores and water on board of such ship, and shall, if required, have all the stores contained in casks brought on deck for inspection. Master and officers to give every facility for inspection.
12. Beef shall consist only of briskets, flanks, and plates of fine heavy grade, freshly cured, free from taint, and thoroughly sweet, packed in good sound casks, re-capped, and re-pickled with pickle of full strength, all to the satisfaction of the inspector. Conditions as to beef.

Conditions
as to pork.

13. Pork shall be of assorted pieces in fair proportion, of fine grade, freshly cured, free from taint, and thoroughly sweet, packed in good sound casks, re-capped, and re-pickled with pickle of full strength, all to the satisfaction of the inspector.

Conditions
as to pre-
served meats
and vege-
tables.

14. Preserved meats shall be of fine grade, but may be of any variety, and may be mixed with a fair proportion of vegetables, the whole to be properly preserved and packed in good strong tins, the tins being painted or otherwise protected from rust, all to the satisfaction of the inspector, who may open one or more of the tins of each kind should he deem it necessary.

Vegetables
in tins.

15. Vegetables shall be fresh and sound, properly preserved, and in good strong tins, the tins being painted or otherwise protected from rust, all to the satisfaction of the inspector, who may open one or more of the tins of each kind should he deem it necessary.

Flour to be
milled from
fully matured
sound wheat.
Require-
ments if
shipped in
barrels.

16. Flour shall be of fine grade, milled from fully matured good sound wheat, containing a proper proportion of nutritious matter, to the satisfaction of the inspector.

If shipped in barrels, the barrels must be new, properly made from suitable seasoned wood, thoroughly tight, and lined with suitable paper. The ends of the barrels to be coated with hot lime. Where tanks are used for the storage of flour on board, they must be thoroughly cleansed, lined with fresh lime, and dried before being re-filled, all to the satisfaction of the inspector.

Biscuits to be
made of fully
matured
wheat flour.

17. Biscuits to be thoroughly baked and dried, and made of fully matured wheat flour, containing a proper proportion of nutritious matter. Where tanks are used for the storage of biscuits on board, they must be thoroughly cleansed, lined with fresh lime, and dried before being re-filled, all to the satisfaction of the inspector.

Stores sent
on board.

18. An inspector may at any time proceed on board a ship to ascertain whether the stores or water have been duly inspected, and if he finds any stores or water on board the ship which have not been so inspected, he shall insist on inspecting the same, and if they are of a quality unfit for the use of the crew of such ship, he shall detain the ship under the provisions of the Act until such defects are remedied to his satisfaction.

Water tanks
to be cleansed
before fresh
water supplied.

19. The water left in the ship's tanks from the former voyage must all be completely emptied, and the tanks must be thoroughly cleansed and re-filled with good fresh water.

Stores
deficient in
quality to
be landed.

20. All stores found by the inspector to be deficient in quality shall be landed.

Certificate
of inspection.

21. The inspector at the final port of departure in the United Kingdom, if after examination of the stores and water he is satisfied that he has seen all the stores intended for the particular voyage, and that they are of a quality fit for the

use of the crew, or in the case of stores previously inspected at some other port, in accordance with Rule 6, if satisfied that the requirements of that rule have been complied with, shall grant a certificate in the prescribed form (P.W. 4), but this certificate shall not be granted except at the final port of departure in the United Kingdom.

MEDICAL SCALE FOR MERCHANT SHIPS PRESCRIBED BY THE BOARD OF TRADE AND REVISED MARCH, 1903.

1903. No. 1160.

The annexed scale of medicines and medical stores and instruments for merchant ships issued by the Board of Trade, in pursuance of the Merchant Shipping Act, 1894,* supersedes the scale hitherto in force, all copies of which should be destroyed.

Francis J. S. Hopwood,
Secretary.

Walter J. Howell,
Assistant Secretary.

SCALE OF MEDICINES AND MEDICAL STORES, ISSUED BY THE BOARD OF TRADE IN PURSUANCE OF THE MERCHANT SHIPPING ACT, 1894.

<div>Preparations from British Pharmacopœia, 1898.</div> <div>This Column is added for the use of Druggists supplying the Medicines indicated. All bottles to be stoppered, and the official dose for an adult to be stated on the label. All medicines indicated thus (*) to be marked with a Red Poison Label. All articles marked with two asterisks should, in addition to the Red Poison Label, be carried in green fluted bottles and labelled for external use only.</div>	<div>Names of Medicines, Medicaments, &c.</div> <div>All Medicines bearing a Red Poison Label must be used with caution and if given internally should be carefully measured.</div>	<div>Proportion for Ships carrying the under-mentioned No. of Men and Boys. (for 12 months).</div>			
		10 and under.	11 to 20 inclusive.	21 to 40 inclusive.	41 and upwards.
	Alum - - - - -	2 ozs.	4 ozs.	6 ozs.	8 ozs.
Sp. Ammon. Aromat - - -	Aromatic Spirits of Ammonia.	4 "	6 "	8 "	12 "
Copaiba - - - - -	Balsam of Copaiba - - -	4 "	8 "	12 "	16 "
	Bicarbonate of Potash - - -	4 "	6 "	8 "	10 "
	Bicarbonate of Soda - - -	8 "	12 "	16 "	20 "
Mist. Senna Co. - - - -	Black Draught - - -	2 pts	4 pts.	6 pts.	8 pts.
Lotic Hydrag. Nigra - - -	Black Wash - - - - -	1 pint	2 "	2 "	3 "
Liq. Epispasticus - - - -	** Blistering Fluid - - -	1 oz.	1 oz.	2 ozs.	2 ozs.
Ammonii Bromidum - - -	Bromide of Ammonium - -	2 ozs.	4 ozs.	6 "	8 "

* 57 & 58 Vict. c. 60.

Preparations from British Pharmacopœia, 1898. This Column is added for the use of Druggists supplying the Medicines indicated. All bottles to be stoppered, and the official dose for an adult to be stated on the label. All medicines indicated thus (*) to be marked with a Red Poison Label. All articles marked with two asterisks should in addition to the Red Poison Label, be carried in green fluted bottles and labelled for external use only.	Names of Medicines, Medicaments, &c. All Medicines bearing a Red Poison Label must be used with caution and if given internally should be carefully measured.	Proportion for Ships carrying the under-mentioned No. of Men and Boys (for 12 months.)			
		10 and under.	11 to 30 inclusive.	31 to 40 inclusive.	41 and upwards.
Hyd. Sub-chloridum - - -	* Calomel - - - - -	1 oz.	1 oz.	1 oz.	1 oz.
	Camphor - - - - -	2 oza.	4 oza.	6 oza.	8 oza.
Acidum Carbolicum Liquefactum. A liquid containing not less than 80 per cent. of free Carbolic or Cresylic Acid.	** Carbolic Acid, liquefied -	4 "	6 "	8 "	12 "
Linimentum Oleis - - -	† Carbolic Acid or other disinfectant of approved quality.	1 gal.	2 gals.	4 gals.	4 gals.
	Carron Oil - - - - -	1 pint	1 pint	2 pts.	3 pts.
	Castor Oil - - - - -	2 lbs.	4 lbs.	6 lbs.	8 lbs.
Argenti Nitras induratus - -	* Caustic - - - - -	½ oz.	½ oz.	1 oz.	1 oz.
Tinct. Chlorof. et Morph. Comp.	Compound Tincture of Chloroform and Morphine. (To be used in place of Chlorodyne.)	1 "	2 oza.	3 oza.	4 oza.
Oreosotum - - - - -	Oreosote - - - - -	½ "	1 oz.	1 oz.	1 oz.
Liq. Potass. Permang. - - -	**‡ Crimson Fluid - - -	½ pint	1 pint	1 pint	2 pts.
Acid Sulph. Arom. - - -	Elixir of Vitriol - - -	2 oza.	4 oza.	6 oz.	8 oza.
	Epsom Salts - - - - -	3 lbs.	6 lbs.	10 lbs.	12 lbs.
Tr. Zingib. Fortior, B.P. '85 -	Essence of Ginger - - -	1 oz.	2 oza.	3 oz.	4 oza.
Ess. Ment. Pip., B.P. '85 - -	" Peppermint - - -	1 "	2 "	3 "	4 "
Tr. Benzoin. Comp. - - -	Friars' Balsam - - - -	4 oza.	6 "	8 "	10 "
Liq. Plumbi Subacet. Fort. -	** Goulard's Extract - -	1 oz.	2 "	4 "	6 "
Potass. Iodid. - - - - -	Iodide of Potassium - -	2 oza.	2 "	3 "	4 "
Liq. Iodi. Fortis - - - - -	** Iodine—strong solution of	1 oz.	2 "	3 "	4 "
	** Iodoform - - - - -	6 dra.	8 dra.	10 dra.	12 dra.
Tinct. Opli - - - - -	* Laudanum - - - - -	4 oza.	6 oza.	8 oza.	10 oza.
Add 2 dra. of powdered camphor to each pound.	Linseed Meal - - - - -	7 lbs.	14 lbs.	20 lbs.	28 lbs.
Charta Sinapis - - - - -	Mustard Leaves (in tins) -	12	24	24	24
	Nitrate of Potash - - -	4 oza.	6 oza.	8 oza.	10 oza.

† As antiseptic and deodorizing agents for common use. Samples of the disinfectants supplied will be occasionally taken for analysis, to determine whether they fulfil the requirements of the Board of Trade.

‡ For purifying drinking water when necessary.

Masters and Seamen :--Scale of Medicines, &c. 63

Preparations from British Pharmacopœia, 1898.		Names of Medicines, Medicaments &c.	Proportion for Ships carrying the under-mentioned No. of Men and Boys (for 12 months).			
This Column is added for the use of Druggists supplying the Medicines indicated. All bottles to be stoppered, and the official dose for an adult to be stated on the label. All medicines indicated thus (*) to be marked with a Red Poison Label. All articles marked with two asterisks marked with two asterisks should in addition to the Red Poison Label, be carried in green fluted bottles and labelled for external use only.			10 and under.	11 to 20 inclusive.	21 to 40 inclusive.	41 and upwards.
		Olive Oil - - - - -	4 ozs.	8 ozs.	12 ozs.	16 ozs.
Lin. Opii - - - - -	**Opodeldoc - - - - -		6 "	8 "	10 "	12 "
Tinct. Camph. Comp. - - -	*Paregoric - - - - -		4 "	6 "	8 "	10 "
All pills to be coated with gelatine.	Pil. Hydrarg. (4 gra.) -	Pills, Blue - - - - -	4 doz.	6 doz.	8 doz.	10 doz.
	" Ipecac. o. Scilla (4 gra.)	" Cough - - - - -	4 "	4 "	6 "	8 "
	" Sapon Comp. (2 gra.)	" Opium - - - - -	2 "	2 "	3 "	4 "
	" Coloc. Comp. (4 gra.)	" Purging - - - - -	6 "	12 "	16 "	20 "
Pulv. Ipecac. Comp. - - -	*Powder, Dover's - - - -		1 oz.	2 ozs.	3 ozs.	4 ozs.
" (to be supplied in tins).	" Ipecac. - - - - -		1 "	2 "	3 "	4 "
	‡Quinine - - - - -		1 "	2 "	3 "	4 "
Sodii Salicylas - - - - -	Salicylate of Soda - - - -		4 ozs.	8 "	12 "	16 "
Spiritus Chloroformi - - -	Spirit of Chloroform - - -		4 "	6 "	8 "	10 "
	Sulphate of Zinc. - - - -		1 oz.	2 "	3 "	4 "
	Sulphur (sublimed) - - - -		1 lb.	1 lb.	2 lbs.	3 lbs.
Sp. Ætheris Nitrosi - - -	Sweet Spirits of Nitre - - -		6 ozs.	6 ozs.	8 ozs.	10 ozs.
Acidum Tartaricum - - -	Tartaric Acid - - - - -		4 "	6 "	8 "	10 "
Tinc. Ferri Perchlor. - - -	Tincture of Steel - - - -		4 "	4 "	6 "	8 "
Lin. Terebinth - - - - -	**Turpentine Liniment - -		8 "	10 "	12 "	16 "
Ext. Hamamelidis Liquidum.	Witch Hazel - - - - -		1 oz.	1 oz.	2 "	3 oz.
OINTMENTS.						
Ungt. Acidl Borici - - - -	Boric Acid - - - - -		4 ozs.	6 ozs.	8 ozs.	10 ozs.
" Galls cum Opio - - - -	Galls and Opium - - - -		1 oz.	2 "	3 "	4 "
" Hydrarg. - - - - -	Mercurial - - - - -		2 ozs.	2 "	4 "	6 "
" Sulph. - - - - -	Sulphur - - - - -		8 "	12 "	16 "	16 "
" Hydrarg. Ammon. - - - -	White Precipitate - - - -		2 "	2 "	4 "	6 "
Paraffinum Mollè - - - -	Vaseline or Salvo Petrolia -		12 "	12 "	16 "	24 "

‡ Treble the quantity above indicated to be taken to all tropical ports.
 For voyages of six months and under half the quantity of the above medicines may be carried.
 There is a separate scale for voyages of less than five days from port to port.

Particulars.	Scales of Medical Stores and Necessaries.	Proportion for Ships carrying the under-mentioned No. of Men and Boys (for 12 months).			
		10 and under.	11 to 20 inclusive.	21 to 40 inclusive.	41 and upwards.
1 grain, 2 grains, &c., must be stamped in English figures and words on each respective weight, the word <i>scruple</i> must not be used at all (the scruple weight being marked 20 grains), the $\frac{1}{2}$ drachm, 1 drachm, and 2 drachm weights must be also marked in English figures and words.	Scales and weights - -	1 set	1 set	1 set	1 set
	Rubber plaster in tin case -	1 yd.	2 yds.	3 yds.	4 yds.
	Boric lint - - - -	$\frac{1}{2}$ lb.	$\frac{1}{2}$ lb.	1 lb.	1 lb.
	Absorbent cotton wool - -	1 "	$\frac{1}{2}$ "	1 "	1 "
	Double cyanide gauze - -	1 yd.	1 yd.	2 yds.	2 yds.
The Surveyors will require all filters to be tested at the Government Laboratory.	A 2-gallon Pasteur-Chamberland filter, or other approved filter of like capacity capable of delivering water free from micro-organisms.	1	1	1	1
	Graduated drop measure -	1	1	1	1
The fluid 2-oz. measure must be marked in ounces and drachms, table-spoonfuls and teaspoonfuls.	Graduated 2-oz. measure -	1	1	1	1
	6-oz. bottles - - - -	1 doz.	1 doz.	2 doz.	2 doz.
	Corks for bottles - - - -	1 "	2 "	3 "	4 "
	Scissors - - - - -	1 pair	1 pair	1 pair	1 pair
	Syringes, $\frac{1}{2}$ -oz. - - - -	2	2	4	4
	Abscess knife, Paget's - -	1	1	1	1
	Eye spud - - - - -	1	1	1	1
Leg and arm size - - - -	Bandages - - - - -	3	6	6	8
Triangular bandage, base 48 ins. sides 33 ins. each.	Triangular bandages - -	2	3	4	4
Flannel bandage, 7 yds. long, 6 ins. wide.	Flannel bandages - - -	1	2	3	4
	Calico - - - - -	2 yds.	3 yds.	4 yds.	6 yds.
	Flannel - - - - -	2 "	3 "	4 "	6 "
	Needles, in vaseline - -	6	6	6	6
	Tablet of silk, with four sizes -	1	1	1	1
	Safety pins - - - - -	3 doz.	3 doz.	3 doz.	3 doz.
	Splints, common - - - -	1 set	1 set	1 set	1 set
Printed directions for use - -	Enema syringe (Higginson's)-	1	1	2	2
	Eschmarch's Tourniquet (plain, with hooks).	1	1	1	1
	Soft olive-headed catheters -	3	3	3	3
36 in. single reversible - -	Trusses - - - - -	1	2	3	3
36 in. double - - - - -	" - - - - -	1	1	1	1
	Sponges, aseptically prepared, in hermetically sealed bottles containing 1 doz.	1 bott.	1 bott.	1 bott.	1 bott.
	Plaster of Paris bandages (in tins) prepared for use.	1 doz.	1 doz.	2 doz.	2 doz.
	Clinical thermometer, self-registering.	1	1	1	1
	Camel's hair pencils - -	1	1	2	2
	Bed-pan - - - - -	1	1	1	1

Masters and Seamen :—Scale of Medicines, &c. 65

Particulars.	Scales of Medical Stores and Necessaries.	Proportion for Ships carrying the under-mentioned No. of Men and Boys (for 12 months).			
		10 and under.	11 to 20 inclusive.	21 to 40 inclusive.	41 and upwards.
	Authorized Book of Directions for Medicine Chests (The Ship Captain's Medical Guide, latest edition).	1	1	1	1
	Oatmeal - - - - -	4 lbs.	8 lbs.	16 lbs.	24 lbs.
	Arrowroot - - - - -	2 "	4 "	8 "	12 "
	Pearl barley - - - - -	4 "	8 "	16 "	24 "
	Corn flour - - - - -	4 "	8 "	16 "	24 "
	Sago or cerealine - - - - -	4 "	8 "	16 "	24 "
	Sugar - - - - -	14 "	28 "	42 "	56 "
	Soup and bouilli - - - - -	6 "	12 "	24 "	36 "
	Boiled mutton - - - - -	6 "	12 "	24 "	36 "
	Essence of meat ($\frac{1}{2}$ pint) - - - - -	6 tins	12 tins	24 tins	36 tins
Preserved - - - - -	Desiccated soup - - - - -	4 lbs.	8 lbs.	16 lbs.	24 lbs.
	Vegetables, dried or compressed. - - - - -	4 "	8 "	16 "	24 "
	Potato (If not in scale of provisions). - - - - -	14 "	28 "	56 "	74 "
	Wine (port) - - - - -	3 bottles.	6 bottles.	12 bottles.	18 bottles.
	Brandy - - - - -	2 "	4 "	6 "	8 "

EMERGENCY MEDICAL SCALE FOR MERCHANT SHIPS, PRESCRIBED BY BOARD OF TRADE AND REVISED MARCH, 1903

1903. No. 1161.

The annexed Scale of Medicines and Medical Stores and Instruments for Merchant Ships issued by the Board of Trade in pursuance of the Merchant Shipping Act, 1894,* is intended for the use of Ships sailing from the United Kingdom, and making voyages not exceeding five days from Port to Port.

Francis J. S. Hopwood,
Secretary.

Walter J. Howell.
Assistant Secretary.

* 57 & 58 Vict. c. 60.

**EMERGENCY SCALE OF MEDICINES AND MEDICAL STORES ISSUED BY THE
BOARD OF TRADE IN PURSUANCE OF THE MERCHANT SHIPPING ACT, 1894.**

Preparations from British Pharmacopœia, 1898.		
<p>This column is added for the use of Druggists supplying the Medicines indicated.</p> <p>All bottles to be stoppered, and the official dose for an adult to be stated on the label.</p> <p>All medicines indicated thus (*) to be marked with a Red Poison Label.</p> <p>All articles marked with two asterisks should, in addition to the Red Poison Label, be carried in green fluted bottles and labelled for external use only.</p>	<p align="center">Names of Medicines, Medicaments, &c.</p> <p>All Medicines bearing a Red Poison Label must be used with caution, and if given internally should be carefully measured.</p>	<p align="center">Proportion for Ships irrespective of the number of men carried (for voyages of five days and under from Port to Port).</p>
<p>Spiritus ammoniæ aromaticus</p> <p>Tinctura chloroformi et morphinæ comp.</p> <p>Linimentum calcis - - -</p> <p>Oleum ricini - - -</p> <p>Acidum carbolicum liquefactum.</p> <p>Tinctura benzoini composita</p> <p>Liquor plumbi subacetatis fortis.</p> <p>Tinctura opii - - -</p> <p>Linimentum opii - - -</p> <p>Pilula colocynthidis composita (4 gra.)</p> <p>Paraffinum molle - - -</p>	<p>Aromatic spirits of ammonia</p> <p>*Compound tincture of chloroform and Morphine. (To be used in lieu of chlorodyne.)</p> <p>Carron oil - - -</p> <p>Castor oil - - -</p> <p>**Carbolic Acid, liquefied</p> <p>Friar's balsam - - -</p> <p>**Goulard's extract - - -</p> <p>*Laudanum - - -</p> <p>**Opodeldoc - - -</p> <p>Purgative pills - - -</p> <p>Vaseline or salvo petrolia -</p>	<p>2 oz.</p> <p>1 "</p> <p>1 pint.</p> <p>1 "</p> <p>2 oz.</p> <p>2 "</p> <p>2 "</p> <p>2 "</p> <p>4 "</p> <p>3 doz.</p> <p>4 oz.</p>
Particulars.	Scale of Medical Stores and Necessaries.	Proportions for Ships, irrespective of the number of men carried.
<p>The fluid 2-oz. measure must be marked in ounces and drachms, table spoonfuls, and tea spoonfuls.</p> <p>Base 48-in., sides 32-in. - -</p> <p>Leg and arm size - - -</p> <p>Printed directions for use -</p> <p>36-in. single reversible - -</p> <p>36-in. double - - -</p>	<p>Rubber plaister - - -</p> <p>Boric lint - - -</p> <p>Absorbent cotton wool - -</p> <p>Graduated drop measure -</p> <p>Graduated 2-oz. measure -</p> <p>6-oz. bottles with corks -</p> <p>1-oz. bottles with corks -</p> <p>Mustard leaves in tin -</p> <p>Scissors - - -</p> <p>Lancet - - -</p> <p>Triangular Bandages - -</p> <p>Bandages - - -</p> <p>Calico - - -</p> <p>Splints, common - - -</p> <p>Esmarch's Tourniquet - -</p> <p>Needles in Vaseline - -</p> <p>Safety pins - - -</p> <p>Tablet of silk with four sizes -</p> <p>Enema Syringe (Higginson's). - - -</p> <p>Truss - - -</p> <p>Do. - - -</p> <p>Authorized Book of Directions.</p>	<p>1 yard.</p> <p>1 lb.</p> <p>1 "</p> <p>1</p> <p>1</p> <p>6</p> <p>6</p> <p>1 tin.</p> <p>1 pair.</p> <p>1</p> <p>2</p> <p>6</p> <p>2 yards.</p> <p>1 set.</p> <p>1</p> <p>6</p> <p>2 dozen</p> <p>1</p> <p>1</p> <p>1</p>

NOTE.—Ships making voyages of less than 24 hours from port to port have the option of carrying only the small Ambulance Hamper of the St. John's Ambulance Association, or its equivalent, in lieu of the above Scale.

(iii.) Termination of Seamen's Service.

ORDERS IN COUNCIL DIRECTING THAT CERTAIN PROVISIONS IMPOSING A PENALTY FOR BEING ON BOARD A SHIP WITHOUT LEAVE BEFORE THE DISCHARGE OF THE SEAMEN SHALL APPLY TO SHIPS OF FOREIGN STATES.

(a) Austria-Hungary.

At the Court at Balmoral, the 17th day of October, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council,

Whereas by Section 5 of the Merchant Seamen (Payment of Wages and Rating) Act, 1880,* it is provided that where a ship is about to arrive, is arriving, or has arrived at the end of her voyage, every person not being in Her Majesty's service, or not being duly authorised by law for the purpose, who—

- (a) goes on board the ship without the permission of the master before the seamen lawfully leave the ship at the end of their engagement or are discharged (which ever last happens), or
- (b) being on board the ship remains there after being warned to leave by the master, or by a police officer, or by any officer of the Board of Trade or of the Customs.

shall for every such offence be liable, on summary conviction, to a fine not exceeding twenty pounds, or, at the discretion of the court, to imprisonment for any term not exceeding six months; and the master of the ship or any officer of the Board of Trade may take him into custody and deliver him up forthwith to a constable to be taken before a court or magistrate capable of taking cognizance of the offence and dealt with according to law :

And whereas by Section 6 of the said Act it is further provided that whenever it is made to appear to Her Majesty—

- (1) that the government of any foreign country has provided that unauthorised persons going on board of British ships which are about to arrive, or have arrived within its territorial jurisdiction, shall be subject to provisions similar to the provisions contained in the last preceding section as applicable to persons going on board British ships at the end of their voyages; and

* 43 & 44 Vict. c. 16; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

- (2) that the government of such foreign country is desirous that the provisions of the said section shall apply to unauthorised persons going on board of ships belonging to such foreign country within the limits of British territorial jurisdiction,

Her Majesty may, by Order in Council, declare that the provisions of the said last preceding section shall apply to the ships of such country; and thereupon, so long as the Order remains in force, those provisions shall apply and have effect as if the ships of such country were British ships arriving, about to arrive, or which had arrived at the end of their voyage:

And whereas it has been made to appear to Her Majesty—

- (1) that the Government of Austria-Hungary has provided that unauthorised persons going on board British ships which are about to arrive, or have arrived within its territorial jurisdiction, shall be subject to provisions similar to the provisions contained in the said herein first-recited sections as applicable to persons going on board British ships at the end of their voyages; and
- (2) that the said government is desirous that the provisions of the said first-recited section shall apply to unauthorised persons going on board Austro-Hungarian ships within the limits of British territorial jurisdiction.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to declare that the provisions of the said first-recited section shall apply to Austro-Hungarian ships.

C. L. Peel.

(b) Belgium.

At the Court at Osborne House, Isle of Wight, the
23rd day of July, 1889.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first two recitals to the Order in Council relating to Austria-Hungary, printed at pp. 67, 68, above*]:

And whereas it has been made to appear to Her Majesty—
That the Government of Belgium has provided as aforesaid and is desirous that the provisions of the said fifth section shall apply to unauthorised persons going on board of Belgian ships within the limits of British territorial jurisdiction.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to declare that the provisions of the said recited fifth section of the Merchant Seamen (Payment of Wages and Rating) Act, 1880,* shall apply to Belgian ships.

C. L. Peel.

(c) Denmark.

At the Court at Balmoral, the 15th day of September, 1887.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first two recitals to the Order relating to Austria-Hungary, printed at pp. 67, 68, above*]:

And whereas it has been made to appear to Her Majesty—

- (1) that the Government of Denmark has provided that unauthorised persons going on board of British ships which are about to arrive, or have arrived within its territorial jurisdiction, shall be subject to provisions similar to the provisions contained in the said herein first-recited section as applicable to persons going on board British ships at the end of their voyages; and
- (2) that the said government is desirous that the provisions of the said first-recited section shall apply to unauthorised persons going on board of Danish ships within the limits of British territorial jurisdiction.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to declare that the provisions of the said first-recited section shall apply to Danish ships.

C. L. Peel.

(d) Germany.

At the Court at Windsor, the 30th day of November, 1882.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first two recitals to the Order relating to Austria-Hungary, printed at pp. 67, 68, above*]:

And whereas it has been made to appear to Her Majesty that the Government of Germany has provided as aforesaid,

* 43 & 44 Vict. c. 16; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

and is desirous that the provisions of the said fifth section shall apply to unauthorised persons going on board of German ships within the limits of British territorial jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in Her, by the said recited Act, and by and with the advice of Her Privy Council is pleased to declare that the provisions of the said recited 5th section of the Merchant Seamen (Payment of Wages and Rating) Act, 1880,* shall apply to German ships.

C. L. Peel.

(c) Italy.

At the Court at Windsor, the 2nd day of March, 1881.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first two recitals to the Order relating to Austria-Hungary, printed at pp. 67, 68 above*]:

And whereas it has been made to appear to Her Majesty—

- (1) that the Government of Italy has provided that unauthorised persons going on board of British ships which are about to arrive or have arrived within its territorial jurisdiction shall be subject to provisions similar to the provisions contained in the said herein first-recited section as applicable to persons going on board British ships at the end of their voyages ; and
- (2) that the said government is desirous that the provisions of the said first-recited section shall apply to unauthorised persons going on board of Italian ships within the limits of British territorial jurisdiction.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to declare that the provisions of the said first-recited section shall apply to Italian ships.

C. L. Peel.

* 43 & 44 Vict. c. 16; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

(f) Sweden and Norway.

At the Court at Balmoral, the 25th day of October, 1881.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first two recitals to the Order relating to Austria-Hungary, printed at pp. 67, 68 above*] :

And whereas it has been made to appear to Her Majesty that the Government of Sweden and Norway has provided as aforesaid and is desirous that the provisions of the said fifth section shall apply to unauthorised persons going on board of Swedish and Norwegian ships within the limits of British territorial jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council is pleased to declare that the provisions of the said recited 5th section of the Merchant Seamen (Payment of Wages and Rating) Act, 1880,* shall apply to Swedish and Norwegian ships.

C. L. Peel.

(g) United States.

At the Court at Windsor, the 22nd day of May, 1883.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first two recitals to the Order relating to Austria-Hungary printed at pp. 67, 68 above*] :

And whereas it has been made to appear to Her Majesty that the Government of the United States of America has provided as aforesaid, and is desirous that the provisions of the said fifth section shall apply to unauthorised persons going on board of American ships within the limits of British territorial jurisdiction. :

Now, therefore, Her Majesty by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to declare that the provisions of the said recited fifth section of the Merchant Seamen (Payment of Wages and Rating) Act, 1880,* shall apply to American ships.

C. L. Peel.

* 43 & 44 Vict. c. 16 ; now repealed and consolidated with other Acts by the Merchant Shipping Act 1894 (57 & 58 Vict. c. 60).

(iv.) **Foreign Deserters.**

ORDERS IN COUNCIL DECLARING THAT DESERTERS FROM MERCHANT SHIPS BELONGING TO FOREIGN STATES SHALL BE LIABLE TO BE APPREHENDED AND CARRIED ON BOARD THEIR RESPECTIVE SHIPS.

(a) **Austria-Hungary.**

At the Court at Windsor, the 16th day of October, 1852.

PRESENT :]

The Queen's Most Excellent Majesty in Council.

Whereas by the Foreign Deserters Act, 1852,* it is provided that, whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to a subject of such power, when within Her Majesty's dominions [*or the territories of the East India Company*],† shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient.

And whereas it hath been made to appear to Her Majesty that due facilities have been or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Majesty the Emperor of Austria, [*and in those of the free Hanseatic cities of Lubeck, Bremen, and Hamburg*],‡

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,§ seamen, not being slaves, who desert from merchant ships belonging to subjects of His Majesty the Emperor of Austria, [*or to citizens of the free Hanseatic cities of Lubeck, Bremen, and Hamburg*],‡ when such ships are within Her Majesty's dominions [*or the territories of the East India Company*],† shall be liable to be apprehended and carried on board their respective ships.

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

‡ See Order in Council of March 18, 1880, as to German ships, printed at page 78 below

§ This Order was gazetted October 22nd, 1852.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Commissioners for the affairs of India are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

(b) Belgium.

At the Court at Windsor, the 8th day of February, 1855.

PRESENT.

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above*]:

And whereas it hath been made to appear to Her Majesty, that due facilities will be given for recovering and apprehending seamen (not being Belgian subjects) who desert from British merchant ships in the territories belonging to His Majesty the King of the Belgians:

Now, therefore, Her Majesty by virtue of the powers vested in Her by the said Foreign Deserters Act 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the King of the Belgians, within Her Majesty's dominions or the territories of the East India Company, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions [*or the territories of the East India Company*],‡ he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried in effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, and the Commissioners for the affairs of India, are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted February 13th, 1855.

‡ The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

(c) **Brazil.**

At the Court at Windsor, the 17th day of November, 1888.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Marquess of Lothian,

Sir Henry Ponsonby,
Mr. Robertson.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it hath been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being Brazilian subjects) who desert from British merchant ships in the territories belonging to His Majesty the Emperor of Brazil will be given under an agreement between the Governments of Great Britain and Brazil signed at Rio de Janeiro on the 30th July, 1888 :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette, seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to subjects of His Majesty the Emperor of Brazil shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained till he has been tried by a competent court, and until his his sentence, if any, has been carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is further pleased to order and declare that, upon and after the publication hereof in the London Gazette,† the Order in Council relating to seamen who desert from the merchant ships belonging to the subjects of the Emperor of Brazil made by virtue of the said Act on 17th day of May, 1876, shall be revoked, and the same is hereby revoked accordingly.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly,

C. L. Peel.

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted November 23rd, 1888.

(d) Columbia.

At the Court at Osborne House, Isle of Wight, the
28th day of December, 1866.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of the United States of Columbia :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of the Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to the United States of Columbia, shall be liable to be apprehended and carried on board their respective ships :

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence, if any, has been fully carried into effect.

And the Right Honourable the Earl of Carnarvon, the Right Honourable the Viscount Cranborne, and the Right Honourable Spencer Horatio Walpole, three of Her Majesty's principal Secretaries of State, are to give the necessary directions herein accordingly.

Edmund Harrison.

(e) Congo State.

At the Court at Osborne House, Isle of Wight, the
10th day of August, 1888.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and appre-

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted January 1st, 1867.

hending seamen who desert from British merchant ships in the territories of the Independent State of Congo :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to citizens of the Independent State of the Congo, shall be liable to be apprehended and carried on board their respective ships : Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained till he has been tried by a competent court, and until his sentence, if any, has been carried into effect.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. Peel.

(f) Denmark.

[At the Court at Windsor, the 15th day of July, 1881.]

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austro-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being Danish subjects) who desert from British merchant ships in territories belonging to His Majesty the King of Denmark, will be given under an agreement between the Governments of Great Britain and Denmark, signed at London on the 21st of June, 1881 :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,‡ seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the King of Denmark within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted August 14th, 1888.

‡ This Order was gazetted July 26th, 1881.

ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is further pleased to order and declare that upon and after the publication hereof in the London Gazette the Order in Council relating to seamen who desert from the merchant ships belonging to the subjects of the King of Denmark made, by virtue of the said Act, on the 13th day of June, 1853, and published in the London Gazette on the 14th day of June, 1853, shall be revoked, and the same is hereby revoked accordingly.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. Peel.

(g) Ecuador.

At the Court at Balmoral, the 24th day of September, 1886.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the dominions and possessions of the Republic of the Equator.:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the Republic of the Equator, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained till he has been tried by a competent court, and until his sentence, if any, has been carried into effect.

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted September 28th, 1886.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

(h) France.

At the Court at Buckingham Palace, the 3rd day of July, 1854.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above*] :

And whereas it hath been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen (not being French subjects) who desert from British merchant ships in the territories belonging to His Majesty the Emperor of the French :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves (and not being British subjects) who desert from merchant ships belonging to subjects of the Emperor of the French within Her Majesty's dominions [*or the territories of the East India Company*],‡ shall be liable to be apprehended and carried on board their respective ships.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, and the Commissioners for the affairs of India, are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

(i) Germany.

At the Court at Windsor, the 18th day of March, 1880.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it hath been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being German subjects) who desert from British merchant ships in the territories belonging to His Imperial Majesty the

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted July 4th, 1854.

‡ The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

Emperor of Germany will be given under an agreement between the Governments of Great Britain and Germany signed at London on the 5th November, 1879 :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette† seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the Emperor of Germany within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships ; provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is further pleased to order and declare that, upon and after the publication hereof in the London Gazette, the Order in Council made, by virtue of the said Act, on the 16th day of October, 1852, and published in the London Gazette on the 26th day of October, 1852, so far as it relates to seamen who desert from merchant ships belonging to citizens of the free Hanseatic cities of Lubeck, Bremen, and Hamburg, and the Order in Council relating to seamen who desert from the merchant ships belonging to subjects of the King of Prussia, made by virtue of the said Act, on the 16th day of October, 1852, and published in the London Gazette on the 26th day of October, 1852, and the Order in Council relating to seamen who desert from the merchant ships belonging to subjects of the Grand Duke of Oldenburg, made, by virtue of the said Act, on the 13th day of June, 1853, and published in the London Gazette on the 14th day of June, 1853 and the Order in Council relating to seamen who desert from the merchant ships belonging to subjects of the Grand Duke of Mecklenburg-Schwerin, made, by virtue of the said Act, on the 9th day of March, 1854, and published in the London Gazette on the 10th day of March, 1854, and the Order in Council relating to seamen who desert from the merchant ships belonging to subjects of the King of Hanover, made, by virtue of the said Act, on the 8th day of June 1854, and published in the London Gazette on the 13th day of June 1854, shall be revoked, and the same are hereby revoked accordingly.

And the Secretary for State of the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

* 15 & 16 Vict. c. 26. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† This Order was gazetted April 2nd 1880.

(j) Greece.

At the Court at Windsor, the 12th day of July, 1887.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the dominions and possessions of His Majesty the King of the Hellenes:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions, desert from merchant ships, belonging to subjects of His Majesty the King of the Hellenes, shall be liable to be apprehended and carried on board their respective ships: provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained till he has been tried by a competent court, and until his sentence, if any, has been carried into effect.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

(k) Honduras.

1901. No. 798.

At the Court at St. James's, the 26th day of September, 1901.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by sub-section (1) of Section 238 of "The Merchant Shipping Act, 1894,"‡ it is provided that where it appears to His Majesty that due facilities are or will be given by the government of any foreign country for recovering and apprehending seamen who desert from British merchant ships in that country, His Majesty may by Order in Council

* 15 & 16 Vict. c. 26. ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

† This Order was gazetted July 22nd, 1887.

‡ 57 & 58 Vict. c. 60.

stating that such facilities are or will be given, declare that that section shall apply in the case of such foreign country subject to any limitations, conditions, and qualifications contained in the Order :

And whereas it has been made to appear to His Majesty that the Government of the Republic of Honduras gives and will give due facilities for recovering and apprehending seamen who desert from British merchant ships in that country :

Now, therefore, His Majesty, by virtue of the power vested in Him by the hereinbefore recited sub-section (1) of Section 238 of "The Merchant Shipping Act, 1894," and by and with the advice of His Privy Council, is pleased to order and declare that the said section 238 of "The Merchant Shipping Act, 1894," shall apply in the case of the Republic of Honduras :

And the Right Honourable Charles Thomson Ritchie, the Right Honourable Joseph Chamberlain, and the Right Honourable Lord George Hamilton, three of His Majesty's principal Secretaries of State, are to give the necessary directions herein accordingly.

A. W. FitzRoy.

(1) Italy.

At the Court at Windsor, the 11th day of June, 1863.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it hath been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen (not being Italian subjects) who desert from British merchant ships in the territories belonging to His Majesty the King of Italy.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the King of Italy, within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships : Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted June 12th, 1863.

advice of Her Privy Council, is further pleased to order and declare that upon and after the publication hereof in the London Gazette the Order in Council relating to seamen who desert from merchant ships belonging to subjects of the King of the kingdom of the two Sicilies, made by virtue of the said Act on the 19th day of August, 1853, and published in the London Gazette on the 23rd day of August, 1853, and the Order in Council relating to seamen who desert from merchant ships belonging to subjects of the King of Sardinia, made by virtue of the said Act on the 10th day of March, 1855, and published in the London Gazette on the 13th day of March, 1855, shall be revoked, and the same are hereby revoked accordingly.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

Edmund Harrison.

(m) Japan.

1903. No. 866.

At the Court at Buckingham Palace, the 9th day of
October, 1903.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the order relating to Honduras, with substitution of His Majesty, for Her Majesty, printed at p. 80 above.*]

And whereas it appears to His Majesty that due facilities are given by the Government of Japan for recovering and apprehending seamen who desert from British merchant ships in that country :

And whereas Her late Majesty Queen Victoria was pleased, by and with the advice of Her Privy Council, on the 19th day of May, 1898,* to apply the provision of Section 238 of the Merchant Shipping Act, 1894,† in the case of Japan :

And whereas under Article XIV. of such Treaty it was provided that the stipulations therein contained for the recovery of deserters from the vessels of their respective countries should not apply to the subjects of the country where the desertion takes place :

And whereas it is desirable to repeal the said Order in Council of the 19th day of May, 1898 :

Now, therefore, His Majesty, by virtue of the power vested in Him by the hereinbefore recited Sub-section (1) of Section

* Printed in Statutory Rules and Orders, 1898, p. 667.

† 57 & 58 Vict. c. 60.

238 of the Merchant Shipping Act, 1894, and by and with the advice of His Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette, seamen, not being slaves (and not being British subjects), who, within His Majesty's dominions, desert from ships belonging to subjects of His Majesty the Emperor of Japan shall be liable to be apprehended and carried on board their respective ships:

And His Majesty by virtue of the powers vested in Him by the provisions of Section 738 of the Merchant Shipping Act, 1894, and by and with the advice of His Privy Council, is further pleased to order and declare that upon and after the publication hereof in the London Gazette the Order in Council made on the 19th day of May, 1898, and published in the London Gazette on the 20th day of May, 1898, shall be revoked and the same is hereby revoked accordingly:

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

A. W. FitzRoy.

(n) Mexico.

At the Court at Windsor, the 28th day of May, 1889.

PRESENT:

The Queen's Most Excellent Majesty.

Lord President,
Earl of Coventry,

Lord Ashbourne

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it has been made to appear to Her Majesty that due facilities will be give for recovering and apprehending seamen who desert from British merchant ships in territories belonging to the United States of Mexico under a treaty between the Governments of Great Britain and the United States of Mexico, signed at the City of Mexico, on the 27th November, 1888:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen,

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted May, 31st 1889.

not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to citizens of the United States of Mexico, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence, if any, has been fully carried into effect.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. Peel.

(o) Morocco and Fez.

At the Court at Buckingham Palace, the 6th day of May, 1857.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above:*]

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen (not being Moorish subjects) who desert from British merchant ships in the territories belonging to the Sultan of Morocco and Fez:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who desert from merchant ships belonging to subjects of the Sultan of Morocco and Fez within Her Majesty's dominions, [*or the territories of the East India Company*],‡ shall be liable to be apprehended and carried on board their respective ships; Provided always, that if any such deserter has committed any crime in Her Majesty's dominions or the territories of the East India Company, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect,

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Commissioners for the Affairs of India are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.)

† This Order was gazetted May 8th, 1857.

‡ The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

(p) Netherlands.

At the Court at Buckingham Palace, the 9th day of March, 1854.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above*] :

And whereas it hath been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the territories belonging to His Majesty the King of the Netherlands :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, who desert from merchant ships belonging to subjects of the King of the Netherlands within Her Majesty's dominions [*or territories of the East India Company*],‡ shall be liable to be apprehended and carried on board their respective ships.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Commissioners for the Affairs of India are to give the necessary directions herein accordingly.

C. C. Greville.

(q) Paraguay.

At the Court at Osborne House, Isle of Wight, the 29th day of December, 1887.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President, | Sir Augustus Paget,
Mr. Ritchie.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary printed at p. 72 above except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities for recovering and apprehending seamen who desert from British merchant ships in the Republic of Paraguay will be given under a treaty between the Governments of Great Britain and Paraguay, signed at Asumption, on the 16th of October, 1884.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of the Privy Council, is pleased to

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted March 10th, 1854.

‡ The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves (and not being British subjects) who desert from merchant ships belonging to the Republic of Paraguay, within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. Peel.

(r) Peru.

At the Court at Osborne House, Isle of Wight, the 18th day of August, 1852.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above] :

And whereas it hath been made to appear to Her Majesty that due facilities have been or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of the Emperor of all the Russias, the King of Sweden and Norway, and the Republic of Peru :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,‡ seamen, not being slaves, who desert from merchant ships belonging to subjects of any of the three powers aforesaid, when within Her Majesty's dominions [or the territories of the East India Company],§ shall be liable to be apprehended and carried on board their respective ships.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Commissioners for the Affairs of India are to give the necessary directions herein accordingly.

C. C. Greville.

* 15 & 16 Vict. c. 26, repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted January 3, 1888.

‡ This Order was gazetted August 27th, 1852.

§ The territories of the East India Company became part of His Majesty's dominions by the operation of 21 & 22 Vict. c. 106, s. 1.

(s) Russia.

At the Court at Balmoral, the 27th day of August, 1860.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships, in the dominions and possessions of His Majesty the Emperor of all the Russias :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the subjects of His Majesty the Emperor of all the Russias, shall be liable to be apprehended and carried on board their respective ships : Provided always that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained till he has been tried by a competent court, and until his sentence (if any) has been carried into effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

Edmund Harrison.

(t) Salvador.

At the Court at Windsor, the 11th day of June, 1863.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of the Republic of Salvador :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted August 28th, 1860.

order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,* seamen, not being slaves, who within Her Majesty's dominions desert from merchant ships belonging to citizens of the Republic of Salvador, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

Edmund Harrison.

(u) **Siam.**

At the Court at Windsor, the 10th day of November, 1866.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets]:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of their Majesties the Kings of Siam:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,† and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,‡ seamen, not being slaves, who within Her Majesty's dominions desert from merchant ships belonging to the Kingdom of Siam, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect,

And the Lords Commissioners of Her Majesty's Treasury, the Right Honourable the Earl of Carnarvon, the Right Honourable Viscount Cranborne, and the Right Honourable Spencer Horatio Walpole, three of Her Majesty's Principal Secretaries of State, are to give the necessary directions herein accordingly.

Edmund Harrison.

* This Order was gazetted June 12th, 1863.

† 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

‡ This Order was gazetted November 13th, 1866.

(v) Spain.

At the Court at Buckingham Palace, the 23rd day of
January, 1860.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the dominions of Her Majesty the Queen of Spain:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to subjects of Her Majesty the Queen of Spain, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been carried into effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

(w) Sweden and Norway.

[This Order in Council is printed above under the sub-heading "Peru."]

(x) Turkey.

At the Court at Windsor, the 18th day of May, 1865.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it has been made to appear to Her Majesty, that due facilities will be given for recovering and appre-

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted January 24th, 1860.

hending seamen, not being Turkish subjects, who desert from British merchant ships in the territories of the Sublime Porte:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who desert from merchant ships belonging to subjects of the Sublime Porte within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

Arthur Helps.

(y) United States.

At the Court at Osborne House, Isle of Wight, the 18th day of August, 1892.

PRESENT:

The Queen's Most Excellent Majesty.

Lord Chancellor,	Viscount Cross,
Lord President,	Secretary Lord Knutsford,
Lord Privy Seal,	Mr. Secretary Stanhope,
Marquess of Salisbury,	Mr. Goschen,
Marquess of Lothian,	Mr. Balfour,
Lord George Hamilton,	Sir J. Parker Deane.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*]:

And whereas it hath been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being citizens of the United States) who desert from British merchant ships in the territories belonging to the said United States will be given under a treaty between Her Majesty and the President of the United States signed at Washington on the third day of June, One thousand eight hundred and ninety-two, the ratifications of which were exchanged on the first day of August, One thousand eight hundred and ninety-two:

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted May 19th, 1865.

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,† seamen, not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to citizens of the United States shall be liable to be apprehended and carried on board their respective ships : Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained till he has been tried by a competent court, and until his sentence (if any) has been carried into effect :

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

(2) Uruguay.

At the Court at Balmoral, the 24th day of September, 1886.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of the Oriental Republic of the Uruguay :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of the Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette,‡ seamen not being slaves, and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to the Oriental Republic of the Uruguay, shall be liable to be apprehended and carried on board their respective ships :

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

* 15 & 16 Vict. c. 26 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted August 23rd, 1892.

‡ This Order was gazetted September 28th, 1886.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

(aa) Zanzibar.

At the Court at Windsor, the 7th day of March, 1887.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order relating to Austria-Hungary, printed at p. 72 above, except the words in brackets*] :

And whereas it has been made to appear to Her Majesty that due facilities will be given for recovering and apprehending seamen who desert from British merchant ships in the dominions of his Highness the Sultan of Zanzibar :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said Foreign Deserters Act, 1852,* and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette† seamen, not being slaves and not being British subjects, who, within Her Majesty's dominions, desert from merchant ships belonging to subjects of his Highness the Sultan of Zanzibar, shall be liable to be apprehended and carried on board their respective ships : Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained till he has been tried by a competent court, and until his sentence (if any) has been carried into effect.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council, are to give the necessary directions herein accordingly.

C. L. Peel.

3. Passenger and Emigrant Ships.

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|-------------------------------------|--|
| (i.) <i>Emigrant Ships</i> , p. 93. | (ii.) <i>Passenger Steamers</i> ,
p. 122. |
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(i.) Emigrant Ships.

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|-------------------------------------|---|
| (a) <i>Contract Ticket</i> , p. 93. | (d) <i>Medicines and Medical Stores</i> , p. 103. |
| (b) <i>Dietary Scale</i> , p. 95. | (e) <i>Scale of Voyages, etc.</i> ,
p. 115. |
| (c) <i>Discipline</i> , p. 97. | (f) <i>Water</i> , p. 120. |

* 15 & 16 Vict. c. 26; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† This Order was gazetted March 15th, 1887.

PASSENGER'S CONTRACT TICKET,

Whereas

"(1.) If any Person, in Authority, receives money from any person for or in respect of an Emigrant ship, proceeding from the British Islands to any Port out of the same a contract ticket, signed by or on behalf of the said Person,

"(2.) The said Person, in the "Gazette," and any directions contained in that form of "Contract Ticket,"

And when the said "Contract Ticket," to be so given as aforesaid, is given to any Person proceeding from the British Islands to any Port out of the said Islands,

Now, therefore, (1) signify their approval of the said subjoined Form, and (2) that the said Form shall come into operation on the 1st day of January, 1894.

PASSENGER'S CONTRACT TICKET.

This Counterpart of this Form must be given to every Person engaging a Passage as a Passenger on an Emigrant Ship from the British Islands to any Port out of Europe, and under a Penalty for Breach of Contract by Summary Process under the 321st and 322nd Sections of the Emigration Act, 1847, under a Penalty not exceeding £50.

These directions form part of, and must appear on, each Contract Ticket.

The Passenger must have a Free Table, the Victualling Scale for the Voyage must be inserted in the Ticket.

The Ticket must be correctly and legibly filled in, and the Ticket must be printed in, and legibly signed with the Christian Names and Surname and the Address of the Passenger.

The Port on which the Ship is to sail must be inserted in Words and not in Figures.

The Ticket must not be withdrawn from the Passenger, nor any Alteration made therein, without the Consent of the Passenger.

Register, to sail from _____ for _____
Day of _____ 18 ____

Ship

Names.

Total No. of
Persons

In consideration of the Sum of £ _____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with _____ Class Cabin Passage in the above-named Ship, to sail from the Port of _____ for the Port of _____ in _____ with not less than _____ Cubical Feet of Luggage, for each Person, and that such Person shall be victualled as _____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with _____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the sum of £ _____ in { full } Payment of such Passage Money.

Signature in full
Place and Date

[If Signed by a Broker or Agent, state on whose Behalf.]

paid at

_____ to Cabin Passengers.

Deposit £ _____ their own, fail to obtain a Passage in the Ship, and on the Day named for Breach of Contract by Summary Process under the 321st and 322nd Sections of the Emigration Act, 1847, under a Penalty not exceeding £50.

Balance £ _____

and, their Contract Tickets to the Government Emigration Officer should therefore be preserved and kept in readiness to be produced on

N.B.—This Counterpart of this Form must be given to every Person engaging a Passage as a Passenger on an Emigrant Ship from the British Islands to any Port out of Europe, and under a Penalty for Breach of Contract by Summary Process under the 321st and 322nd Sections of the Emigration Act, 1847, under a Penalty not exceeding £50.

_____ 1894.

London, S.W.

Courtenay Boyle,
Secretary.

s 31848

T T 4

FORM OF STEERAGE PASSENGER'S CONTRACT TICKET,
1894.*†

er their direct authority, receives money from any person for a passenger in any emigrant ship, proceeding from the British the person paying the same a contract ticket, signed by or on eters.

shed in the "London Gazette," and any directions contained in irth in this section."

ter called a "Steerage Passenger's Contract Ticket," to be so enger in any ship proceeding from the British Islands to any

id recited Act, do hereby (1) signify their approval of the said e that the same shall come into operation on the 1st day of

must be given to every Person engaging a Passage as a Steerage Passenger in any Ship proceeding of Europe, and not within the Mediterranean Sea, immediately on the payment or deposit by such of the Passage Money, for or in respect of the Passage engaged.

rage must be printed in the Body of the Ticket.

filled in, and the Ticket must be printed in plain and legible characters and legibly signed with the res in full of the Party issuing the same.

the Steerage Passengers are to embark must be inserted in Words and not in Figures.

ist not be withdrawn from the Passenger, nor any Alteration, Addition, or Erasure made in it.

in on the face thereof any condition, stipulation, or exception not contained in this Form.

engagers at for on the day of 18 .

n the Margin hereof shall be provided with a Steerge Passage to, and shall be landed at, the Port the Ship with not less than Ten Cubic Feet for Luggage for each Statute Admit. yage and the time of Detention at any Place before its Termination, according to the subjoined ing Government Dues before Embarkation, and Head Money, if any, at the Place of Landing, and xcess of Luggage beyond the Quantity above specified, and I hereby acknowledge to have received yment.

Water and Provisions (to be issued daily) will be supplied by the Master of the Ship, as required Three Quarts of Water daily, exclusive of what is necessary for cooking the Articles required by the ssued in a cooked State; and a Weekly Allowance of Provisions according to the following Scale:

ntended to be used on the Voyage. This must be either the Scale prescribed in the 298th Section of * or that Scale modified by the introduction of Articles authorised by the Act, to be substituted for

lding are to be provided by the Ship, the Stipulation must be inserted here.]

ll

roker or Agent, state on whose Behalf.]

sit £

ice £

al £

to be paid at

rtice to Steerage Passengers.

received on board on the Day named in their Contract Tickets, or fail to obtain a Passage in the Ship, o will assist them in obtaining Redress under the Merchant Shipping Act, 1894. act Ticket till after the End of the Voyage.

3th day of December, 1894.
Whitehall Gardens, London, S.W.

Courtenay Boyle,
Secretary.

ted December 14th, 1894.

(b) Dietary Scale.**EMIGRATION COMMISSIONERS' NOTICE, DATED APRIL 26, 1856,
SUBSTITUTING ALTERNATIVE DIETARY SCALE UNDER
THE PASSENGERS ACTS.***

Whereas by the thirty-seventh section of the Passengers Act, 1855,† the Emigration Commissioners, acting under the authority of one of Her Majesty's principal Secretaries of State, may, by a notice issued under the hands of any two of them and published in the London Gazette, authorise the issue of provisions in any passenger ship according to such dietary scale other than that prescribed in the Act as the said Commissioners shall consider to contain in the whole an equivalent amount of wholesome nutriment, and after the publication of such notice it shall be lawful for the master of any passenger ship to issue provisions to his passengers according to the scale prescribed in the said Act, or according to the scale authorised by the said Commissioners, whichever may have been set forth in the contract tickets of the passengers :

Now, in exercise of the power thus vested in us, we the undersigned Emigration Commissioners, having obtained the requisite authority in that behalf of Her Majesty's principal Secretary of State for the Colonies, do by this notice authorise from this date the issue of provisions in any passenger ship proceeding on any voyage of which the length computed as in the said Act mentioned shall exceed eighty-four days for ships propelled by sails only, or fifty days for ships propelled by steam, or steam in aid of sails, according to the subjoined scale marked C., instead of according to the scale marked B., in the thirty-seventh section of the said Act, provided that such substituted scale be set forth in the contract tickets of the passengers.

* This Order was gazetted April 29th, 1856.

† 18 & 19 Vict. c. 119 ; and now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Dietary Scale C.

For voyages exceeding eighty-four days for sailing vessels, or fifty days for steamers:—

					lb.	oz.	} Per week, per statute adult.
Beef or pork, or partly one and partly the other.					2	4	
Preserved meat	-	-	-	-	1	0	
Suet	-	-	-	-	0	6	
Butter	-	-	-	-	0	4	
Bread or biscuit not inferior in quality to navy biscuit.					2	8	
Wheaten flour not inferior to best seconds	-				3	8	
Oatmeal, rice, and peas, or any two of them					2	0	
Potatoes	-	-	-	-	2	0	
Raisins	-	-	-	-	0	6	
Tea	-	-	-	-	0	2	
Sugar	-	-	-	-	1	0	
Salt	-	-	-	-	0	2	
Mustard	-	-	-	-	0	0 $\frac{1}{2}$	
Pepper, black or white ground	-				0	0 $\frac{1}{4}$	
Preserved and dried vegetables, that is, cab- bages, carrots, turnips, onions, celery, and mint, or some one or more of them					2	por- tions.	
Vinegar or mixed pickles	-	-	-	-	1	gill	

With such power of substitution in the above articles as is given in the thirty-seventh section of the Passengers Act, 1855.*

For children between one and four years of age, in addition to half-rations of the above-named articles:—

	Per Week.
Preserved milk - - - - -	3 gills.
Condensed egg - - - - -	1 oz.
or fresh eggs - - - - -	3 „

For children between four and twelve months of age:—

	Per Week.
Water - - - - -	21 pints.
Preserved milk - - - - -	7 gills.
„ soup - - - - -	9 oz.
Condensed egg - - - - -	1 „
or fresh eggs - - - - -	3 „
Biscuit - - - - -	12 „
Oatmeal - - - - -	4 „
Flour - - - - -	8 „
Rice - - - - -	4 „
Sugar - - - - -	10 „

* 18 & 19 Vict. c. 119; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Given under our hands this twenty-sixth day of April One thousand eight hundred and fifty-six.

*T. W. C. Murdoch,
Alexr. Wood,*

Emigration Commission, Emigration Commissioners.
8, Park Street, Westminster.

(c) Discipline.

**ORDERS IN COUNCIL PRESCRIBING REGULATIONS FOR THE
PRESERVATION OF ORDER AND PROMOTION OF HEALTH
ON PASSENGER SHIPS.**

At the Court at Osborne House, Isle of Wight, the 3rd day of
February, 1863.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Passengers Act, 1855,* it is amongst other things enacted that it shall be lawful for Her Majesty, by any Order in Council, to prescribe such rules and regulations as to Her Majesty may seem fit for preserving order, promoting health, and securing cleanliness and ventilation on board of passenger ships proceeding from the United Kingdom to any port or place in Her Majesty's possessions abroad ; and the said rules and regulations from time to time in like manner to alter, amend and revoke, as occasion may require :

And whereas it is expedient to make provision for preserving order in private passenger ships conveying to the Colony of Victoria, in Australia, as many as ten unprotected female passengers :

Now, therefore, Her Majesty doth, by and with the advice of Her Privy Council, and in pursuance and exercise of the authority vested in Her by the said Passengers Act, 1855,* order, and it is hereby ordered that in addition to the rules prescribed in the Order in Council dated the twenty-fifth day of February, One thousand eight hundred and fifty-six, the rules herein-after contained shall be observed in respect to unprotected female passengers on board such ships as last aforesaid.

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

mark out the portion of the poop or main deck to be assigned for the purpose of exercise to such unprotected female passengers, who, during the voyage, shall keep within the limits so marked out.

9. Before dark, all such female passengers as aforesaid shall go below to their own compartment, and as soon as they are there collected the master shall lock the entrance, and on no account shall any man enter the compartment during the night, except the surgeon in case of illness, or the officers and crew in case danger to the ship shall render their entrance necessary.

10. If the surgeon is required to attend professionally any of such unprotected female passengers at night, the matron shall accompany and remain with him while he discharges his duties.

11. The master of the ship shall afford to the matron and to the surgeon all the assistance in his power in carrying these regulations into effect.

12. Any person who shall refuse or neglect to obey any of the rules herein contained, or who shall obstruct the surgeon or master of the ship in the execution of any duty hereby imposed on them respectively, or who shall be guilty of insubordinate conduct, shall, on conviction, be liable for each offence to the penalties of fine and imprisonment imposed by the said Passengers Act, 1855.*

13. This Order in Council shall not apply to ships chartered by Her Majesty's Emigration Commissioners.

And the Most Noble the Duke of Newcastle, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

ORDER IN COUNCIL PRESCRIBING REGULATIONS FOR THE
MAINTENANCE OF DISCIPLINE ON PASSENGER SHIPS.

At the Court at Osborne House, Isle of Wight, the 7th day of
January, 1864.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follows the first recital to the Order in Council of February 3, 1863, printed at p. 97, above*]:

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

And whereas it is expedient to revoke an Order in Council made at a Court held at Buckingham Palace on the twenty-fifth day of February, One thousand eight hundred and fifty-six, in virtue of the provisions of the said Act, and to make a new Order in Council :

Now, therefore, Her Majesty doth, by and with the advice of Her Privy Council, and in pursuance and exercise of the authority vested in Her by the said Passengers Act, 1855,* order, and it is hereby ordered that the said Order in Council of the twenty-fifth day of February, One thousand eight hundred and fifty-six be, and the same is hereby revoked, and that the following shall henceforth be the rules for preserving order, for promoting health, and for securing cleanliness and ventilation to be observed on board of every passenger ship proceeding from the United Kingdom to any port or place in Her Majesty's possessions abroad out of Europe, and not being within the Mediterranean Sea.

1. All passengers who shall not be prevented by sickness or other sufficient cause, to be determined by the surgeon, or in ships carrying no surgeon, by the master, shall rise not later than seven o'clock a.m., at which hour the fire shall be lighted.

2. It shall be the duty of the cook or cooks appointed under the thirty-ninth section of the said Passengers Act, 1855,* to light the fires, and to take care that they be kept alight during the day, and also to take care that each passenger or family of passengers shall have the use of the fireplace at proper hours, in an order to be fixed by the master.

3. When the passengers are dressed their beds shall be rolled up.

4. The decks, including the space under the bottom of the berths, shall be swept before breakfast, and all dirt thrown overboard.

5. The breakfast hour shall be from eight to nine o'clock a.m. Before the commencement of breakfast all the emigrants, except as herein-before excepted, are to be out of bed and dressed, and the beds rolled up, and the deck on which the emigrants live properly swept.

6. The deck shall be further swept after every meal, and after breakfast is concluded shall be also dry holly-stoned or scraped. This duty as well as that of cleaning the ladders, hospitals, round-houses, and waterclosets, and of pumping water into the cisterns or tanks for the supply of the water-

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

closets shall be performed by a party who shall be taken in rotation from the adult males above fourteen in the proportion of five to every one hundred emigrants, and shall be considered as sweepers for the day. But the single women shall do all necessary acts for keeping clean and in a proper state their own compartment, where a separate compartment is allotted to them, and the occupant of each berth shall see that all his or her own berth is well brushed out.

7. Dinner shall commence at one o'clock p.m., and supper at six p.m.

8. The fires shall be extinguished at seven p.m., unless otherwise directed by the master or required for the use of the sick ; and the emigrants shall be in their berths at ten o'clock p.m. except under the permission or authority of the surgeon, or, if there be no surgeon, of the master.

9. On each passenger deck there shall be lit at dusk, and kept burning till daylight, three safety lamps, and such further number as shall allow one to be placed at each of the hatchways used by passengers.

10. No naked lights shall be allowed between decks or in the hold at any time or on any account.

11. The scuttles and stern-ports, if any, shall, weather permitting, be opened at seven o'clock a.m. and kept open till ten o'clock p.m. ; and the hatches shall be kept open whenever the weather permits.

12. The coppers and cooking utensils shall be cleaned every day, and the cisterns kept filled with water.

13. The beds shall be well shaken and aired on deck, weather permitting, at least twice a week.

14. The bottom boards of the berths, if not fixtures, shall be removed and dry scrubbed, and, weather permitting, taken on deck at least twice a week.

15. Two days in the week shall be appointed by the master as washing days, but no washing or drying of clothes shall on any account be permitted between decks.

16. On Sunday mornings the passengers shall be mustered at ten o'clock a.m., and will be expected to appear in clean and decent apparel. The Lord's Day shall be observed as religiously as circumstances will admit.

17. No spirits or gunpowder shall be taken on board by any passenger, and if either of those articles be discovered in the possession of a passenger it shall be taken into the custody of the master during the voyage and not returned to the passenger until he has landed or is on the point of landing.

18. No loose hay or straw shall be allowed below for any purpose.

19. No smoking shall be allowed between decks.

20. The following kinds of misconduct are hereby strictly prohibited ; that is to say, all immoral or indecent acts or conduct, taking improper liberties or using improper familiarities with the female passengers, using blasphemous, obscene, or indecent language, or language tending to a breach of the peace, swearing, gambling, drunkenness, fighting, disorderly, riotous, quarrelsome, or insubordinate conduct ; also all deposits of filth or offensive acts of uncleanness in the between decks ; Provided that no conviction under the said Passengers Act for any of the offences herein specified shall operate as a bar to any civil or criminal proceedings which may in the ordinary course of law be instituted for the same offence by any party aggrieved.

21. Firearms, swords, and other offensive weapons, shall, as soon as the passengers embark, be placed in the custody of the master.

22. No sailors shall be allowed to remain on the passenger deck among the passengers except on duty.

23. No passenger shall go to the ship's cookhouse without special permission from the master nor remain in the forecabin among the sailors on any account.

24. In vessels not expressly required by the said Passengers Act, 1855,* to have on board such ventilating apparatus as therein mentioned, such other provision shall be made for ventilation as shall be required by the emigration officer at the port of embarkation, or in his absence, by the officers of customs.

25. And to prevent all doubt in the construction of this Order in Council it is hereby further ordered that the terms " United Kingdom," " passenger," " passenger ship," " passenger deck," and " master " shall herein have the same significance as are assigned to them respectively in the said Passengers Act, 1855,* and unless inconsistent with the context words of one number shall import both numbers.

And the Most Noble the Duke of Newcastle, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

(d) Medicines and Medical Stores.

MEDICAL SCALE FOR EMIGRANT SHIPS PRESCRIBED BY THE
BOARD OF TRADE, AND REVISED MARCH, 1903.

1903. No. 1,162.

The annexed Scale of Medicines, Medical Stores and Instruments for Emigrant Ships clearing under Part III. of the Merchant Shipping Act, 1894,* other than Steam Ships engaged in the North Atlantic Trade, supersedes the scale hitherto in force, which should be destroyed.

Francis J. S. Hopwood,
Secretary.

Walter J. Howell,
Assistant Secretary.

SCALE OF MEDICINES, MEDICAL STORES, INSTRUMENTS, AND MEDICAL COMFORTS, FOR SHIPS CLEARING UNDER PART III. OF THE MERCHANT SHIPPING ACT, 1894, OTHER THAN STEAM SHIPS ENGAGED IN THE NORTH ATLANTIC TRADE.

N.B.—There is a separate Scale for North Atlantic Emigrant Ships.

For every 100 passengers, where the length of the passage, computed according to the Merchant Shipping Act, is under 100 days. Where the length of passage is over 100 days, the quantities of Medicines and Medical Comforts to be increased by one half.

Directions for Druggists.	Articles.	Quantities per 100 Passengers.
		Pta. or lbs. oz. dra.
The Medicines to be prepared, plainly labelled in Latin and English names according to the British Pharmacopœia, and the official dose for an adult given in the Pharmacopœia to be stated on the label.	Acidum boricum (in powder)	- 0 3 0
	** " carbolicum liquefactum	- 0 4 0
	" citricum - - -	- 0 1 0
	* " hydrocyanicum dilutum	- 0 0 2
	* " nitro - hydrochloricum dilutum.	0 4 0
	* " sulphuricum dilutum	- 0 4 0
	* Æther - - - -	- 0 6 0
	Alumen - - - -	- 0 2 0

** See next page.

* See next page.

* 57 & 58 Vict. c. 60.

Directions for Druggists.	Articles.	Quantities per 100 Passengers.
		Pts. or lbs. oz. dra.
All bottles to be stoppered, and all medicines indicated thus * to be marked with a red poison label.	Ammonii bromidum - - -	0 4 0
The Proportion of all poisons should be stated on the labels.	Ammonii carbonas - - -	0 3 0
	*Argenti nitras induratus - - -	0 0 2
	Bismuthi carbonas - - -	0 2 0
	Borax - - -	0 2 0
** All articles marked with two asterisks should, in addition to the red poison label, be carried in green fluted bottles and labelled for external use only.	†Calci hydraz - - -	0 1 0
	Camphora - - -	0 3 0
	*Chloroformum - - -	0 6 0
	*Collodium flexile - - -	0 0 4
	Copaiba - - -	0 4 0
	||Extractum Cascaræ sagradæ liquidum.	0 2 0
	Extractum ergotæ liquidum - -	0 2 0
	" hamemeledis liquidum - -	0 1 0
† For preparation of lime water.	Ferri et ammonii citras - - -	0 1 0
	" et quiniæ citras - - -	0 1 0
|| Or in tablet form 3 doz. each tablet containing 2 grs. of solid extract.	Glycerinum - - -	0 8 0
	" acidi tannici - - -	0 2 0
‡ Add 2 drs. of powdered camphor to each pound.	*Hydrargyri subchloridum - - -	0 0 2
	Hydrargyrum cum cretâ - - -	0 0 4
	**Iodoformum - - -	0 1 0
	†Linum contusum - - -	6 0 0
	**Linimentum belladonnæ - - -	0 8 0
	** " camphoræ ammoniatum.	0 6 0
	** " opii - - -	0 4 0
	** " saponis - - -	0 12 0
	Liquor ammonii acetatis - - -	0 8 0
	*Liquor arsenicalis - - -	0 0 4
	* " atropinæ sulphatis - - -	0 0 2
	" calcis - - -	0 8 0
	** " epispasticus - - -	0 1 0
	** " ferri perchloridi fortis - - -	0 0 4
	** " hydrargyri perchloridi - - -	0 6 0
	** " iodi fortis - - -	0 1 0
	* " morphinæ hydrochloridi - - -	0 1 0
	** " plumbi subacetatis fortis - - -	0 2 0
	* " strychninæ hydrochloridi - - -	0 2 0
	Magnesi sulphas - - -	3 0 0
	Mistura sennæ composita - - -	5 0 0
	*Oleum crotonis - - -	0 0 1
	" lini - - -	1 0 0
	" olivæ - - -	0 8 0
	Oleum ricini - - -	1 0 0
	** " terebinthinæ - - -	0 6 0
	Paraffinum molle (Vaseline or Salvo Petrolia).	0 12 0
	*Phenacetinum - - -	0 0 4
	†Pilula colocynthidis composita (4 grs.).	4 doz.
	" hydrargyri (4 grs.) - - -	"

Directions for Druggists.	Articles.	Quantities per 100 Passengers.
All bottles to be stoppered, and all medicines indicated thus * to be marked with a red poison label.	Hypodermic injection case, with syringe, nickel-plated needles, and tablets or discs of—	Pts. or lbs. oz. dra.
† 1 drm. to the oz. of white or yellow wax should be incorporated in all ointments.	Tartrate of morphine ($\frac{1}{4}$ gr.) -	2 doz.
‡ Irrespective of number of passengers.	Sulphate of atropine ($\frac{1}{100}$ gr.) -	1 doz.
§ A powder containing not less than 20 per cent. of pure carbolic or cresylic acid.	Hydrochlorate of cocaine ($\frac{1}{4}$ gr.)	2 doz.
The powder to be securely packed in tin canisters containing not more than 4 lbs. in each tin.	¶ Apomorphinæ hydrochloratum ($\frac{1}{30}$ gr.).	1 doz.
§ A liquid containing not less than 80 per cent. of free carbolic or cresylic acid.	¶ Disinfectants—	
	‡ Carbolic acid powder, or other disinfectant powder of approved quality.	1 cwt.
	§ Commercial carbolic acid, or other disinfectant of approved quality.	2 galls.
	Sulphur for fumigation - -	5 lbs.
	* || Tablets of perchloride of mercury, each to make a quart of solution (1 in 1,000).	100

¶ Samples of the disinfectants supplied will be occasionally taken for analysis to determine whether they fulfil the requirements of the Board of Trade.

MEDICAL STORES.

Directions for Druggists.	Articles.	Quantities per 100 Passengers.
Maximum 3 lbs.	Lint - - - - -	8 ozs.
§§ Under 200 passengers, 1 bottle. From 200 and under 400 passengers, 2 bottles: 400 passengers and over, 3 bottles.	Boric lint - - - - -	8 "
6 yds. long, 3 ins. wide.	Absorbent cotton wool - - -	1 lb.
6 " " 6 "	Strapping (rubber plaster) - -	3 yds.
Base, 48 ins., sides 33 ins. each.	Tow - - - - -	1 lb.
Maximum 3 lbs.	§§§ Sponges, aseptically prepared, in hermetically sealed bottles containing one dozen.	—
	Bed pan - - - - -	1
	Leg and arm bandages - - -	2 doz.
	Flannel ditto - - - - -	3
	Triangular ditto - - - - -	3
	Calico for bandages - - - -	3 yds.
	Flannel - - - - -	3 "
	Gamgee tissue - - - - -	1 lb.
	Double cyanide gauze - - -	2 yds.
	** Oiled silk, or substitute prepared by Messrs. Christy & Co.	1 yd.
** Only the quantities named of these articles to be provided irrespective of the number of passengers.	** Waterproof sheeting - - -	4 yds.
Waterproof sheeting may be of single texture, but must be at least 3 feet wide.	Trusses—Double 36 in. - - -	1
	Reversible 30 in. - - - -	1 single
	" " 36 in. - - - -	1 "
	** Safety pins - - - - -	5 doz.

MEDICAL STORES—continued.

Directions for Druggists.	Articles.	Quantities per 100 Passengers.
** Only the quantities named of these articles to be provided irrespective of the number of passengers.	**Mustard leaves - - - -	2 tins
||| Under 500 passengers	Plaster of Paris for bandages - -	1 lb.
4 sq. ft.	**Set of Cline's splints - - -	1
500 passengers and over,	**MacIntyre's splint - - -	1
6 sq. ft.	|||Cardboard or perforated felt for splints.	—
-	**Minim measure - - - -	2
†† Under 500 passengers,	**Ounce ditto - - - -	1
2.	**3 ounce ditto - - - -	2
500 passengers and over,	**Stomach tube, with glass funnel -	1
4.	††Higginson's enema syringes - -	—
	Glass or pewter syringes, $\frac{1}{2}$ oz.	6
	**Box of small scales and weights -	1
	**Iron basin, enamelled white (for lotions).	1
	**Wedgwood mortar and pestle - -	1
	**Enamelled iron aseptic dressing tray (triangular shape).	1
	**Wedgwood funnels - - - -	2
	**Spatulas - - - -	2
	Bottles for medicine, 2 oz.	2 doz.
	" " 8 oz.	4 "
†† Under 500 passengers,	††Fluted bottles for external application, 2 oz.	—
1 doz.	††Fluted bottles for external application, 6 oz.	—
500 passengers and over,	**A 2-gallon Pasteur-Chamberland filter, or other approved filter of like capacity, capable of delivering water free from micro-organisms.	1
2 doz.	Corks, assorted - - - -	6 doz.
The Surveyors will require all filters to be tested at the Government Laboratory.	Gallipots - - - -	6
	Packets of nested pill boxes - -	1
	Blank labels - - - -	6 doz.
	Poison labels - - - -	2 doz.
	**Dispensary paper (white demy) -	1 qr.
	Camel's hair pencil brushes - -	3
	**Ether inhaler - - - -	1
	**Urinary test case (containing urinometer, spirit lamp, litmus paper, 12 test tubes, Nitric acid, and Liq. Potassæ 2 oz.)	1
§§ Under 500 passengers,	§§Glycerinated Calf Lymph in tubes -	—
2 doz.	**Authorised Book of Directions for Medicine Chests ("The Ship Captain's Medical Guide," latest edition).	1
500 passengers and over,	**British Pharmacopœia - - -	1
4 doz.		

INSTRUMENTS.

In pocket case.	1 Artery forceps.	2 Scalpels.
	1 Dressing do.	1 Hernia knife.
	1 Finger knife.	1 " director.
	1 Curved bistoury, sharp pointed.	2 Trocars and canulas.
	1 Curved bistoury, blunt pointed.	1 Aneurism needle.
	2 probes.	1 Set tooth instruments (7 forceps in leather roll).
	1 Silver director.	1 Set tracheotomy instruments (3 double tubes and trachea dilator).
	1 Caustic case.	1 Set midwifery instruments (long forceps), in leather roll.
	1 Scissors.	1 Esmarch's tourniquet (plain with hooks).
	1 Spatula.	1 Oesophageal probang with bristles.
	2 Lancets.	1 Aspirator with 2 needles in case.
	1 Gum lancet.	3 Silver catheters (Nos. 4 and 8; and No. 12 with prostatic curve).
	12 Needles in vaseline.	1 Full set of soft olive-headed catheters.
	1 Tablet of silk with four sizes.	2 Clinical thermometers, self registering.
	1 Fergusson's small saw.	1 Stethoscope.
	1 Amputating saw.	1 ft. Drainage tubing (No. 10 gauge).
	2 " knives.	1 Length silkworm gut ligature.
	1 Pair large dissecting forceps.	
	1 Bone forceps (bent).	
	2 Pairs Wells' pressure forceps.	
	1 Trephine ($\frac{3}{4}$ in. size).	
	1 Elevator.	
	1 Trephine brush.	
	1 Eye spud	

MEDICAL COMFORTS.

Articles.	Quantities for 100 Passengers.
Arrowroot - - - - -	7 lbs.
Pearl barley - - - - -	5 "
Semolina - - - - -	10 "
Condensed milk of approved quality -	30 lb tins.
Essence of extract of beef of approved quality.	20 $\frac{1}{4}$ -lbs. tins.
Brandy - - - - -	1 gallon.

MEDICAL SCALE FOR NORTH ATLANTIC EMIGRANT SHIPS,
PRESCRIBED BY THE BOARD OF TRADE AND REVISED
MARCH, 1893.

1903. No. 1163.

The annexed Scale of Medicines and Medical Stores and Instruments for North Atlantic Emigrant Ships clearing under Part III. of the Merchant Shipping Act, 1894,* supersedes the Scale hitherto in force, which should be destroyed.

Francis J. S. Hopwood,
Secretary.

Walter J. Howell,
Assistant Secretary.

SCALE OF MEDICINES, MEDICAL STORES, INSTRUMENTS, AND MEDICAL COMFORTS FOR NORTH ATLANTIC EMIGRANT SHIPS ONLY, WHERE THE VOYAGE COMPUTED ACCORDING TO THE MERCHANT SHIPPING ACT, 1894, DOES NOT EXCEED 37 DAYS.

N.B.—There is a separate scale for Emigrant Ships for longer voyages.

Directions to Druggists.	Articles.	1 For 100 Passen- gers.	2 For 250 Passen- gers.	3. For 500 Passen- gers.	4. For 750 Passen- gers and upwards.
The medicines to be prepared, plainly labelled in Latin and English names according to the British Pharmacopœia and the official dose for an adult given in the Pharmacopœia to be stated on the label. All bottles to be stoppered, and all medicines indicated thus * to be marked with a red poison label.	Acidum borium (in powder) -	3 oz.	3 oz.	4 oz.	5 oz.
	** " carbolicum liquefactum -	2 "	2 "	4 "	5 "
	" citricum - - - -	1 "	2 "	3 "	4 "
	* " nitro-hydrochlorium dilu- tum.	2 "	4 "	6 "	8 "
	* " sulphuricum dilutum -	2 "	4 "	6 "	8 "
	* Ether - - - - -	3 "	6 "	9 "	12 "
	Ammonii bromidum - - -	4 "	8 "	12 "	16 "
	Ammonii carbonas - - -	1 "	2 "	3 "	4 "
	* Argenti nitras induratus - -	2 dra.	2 dra.	4 dra.	4 dra.
	Bismuthi carbonis - - - -	1 oz.	2 oz.	3 oz.	4 oz.

* 57 & 58 Vict. c. 60.

Directions to Druggists.	Articles.	1 For 100 Passen- gers.	2 For 250 Passen- gers.	3 For 500 Passen- gers.	4 For 750 Passen- gers and upwards.
The proportion of all poisons should be stated on the labels. The weights and measures of the British Pharmacopœia to be used.	†Calcii hydras - - - - -	1 oz.	1 oz.	1 oz.	1 oz.
	Camphora - - - - -	1 "	2 "	3 "	4 "
	*Chloroformum - - - - -	3 "	6 "	9 "	12 "
	*Collodium flexile - - - - -	2 "	4 "	4 "	4 "
	Copaiba - - - - -	2 "	4 "	6 "	6 "
* To be marked with a red poison label. See directions in col. 1, page 1.	†Extractum cascariæ sagradæ liqui- dum.	1 "	2 "	3 "	4 "
	" ergotæ liquidum - -	1 "	1 "	2 "	2 "
	" hamamelidis liquidum -	1 "	1 "	2 "	2 "
	Glycerinum - - - - -	6 "	8 "	10 "	16 "
	*Hydrargyri subchloridum - -	2 drs.	4 drs.	6 drs.	8 drs.
** All articles marked with two asterisks should, in addition to the red poison label, be carried in green fluted bottles and labelled for external use only.	Hydrargyrum cum cretâ - -	2 "	4 "	6 "	8 "
	**Iodoformum - - - - -	1 oz.	1 oz.	2 oz.	2 oz.
	†Linum contusum - - - - -	5 lbs.	7 lbs.	9 lbs.	12 lbs.
	**Linimentum belladonnæ - -	6 oz.	9 oz.	12 oz.	16 oz.
	** " camphoræ ammoniati- tum.	6 "	9 "	12 "	16 "
† For preparation of lime water.	** " opii - - - - -	6 "	9 "	12 "	16 "
	** " saponis - - - - -	8 "	12 "	16 "	20 "
	Liquor ammonii acetatis - -	6 "	8 "	10 "	12 "
	*Liquor arsenicalis - - - -	½ "	½ "	1 "	1 "
	Liquor calis - - - - -	8 "	8 "	16 "	16 "
† Or in tablet form, each tablet containing 2 grs. of solid extract, 2, 3, 4, and 6 doz.	** " epispasticus - - - -	1 "	1 "	2 "	2 "
	** " ferri perchloridi fortis -	½ "	½ "	1 "	1 "
	** " hydrargyri perchloridi -	4 "	6 "	8 "	12 "
	** " iodi fortis - - - - -	1 "	2 "	3 "	4 "
	** " plumbi subacetatis fortis -	1 "	2 "	3 "	4 "
‡ Add 2 drs. of powdered camphor to each pound.	* " strychninæ hydrochloridi -	1 "	1 "	2 "	2 "
	Magnesi sulphas - - - - -	2 lbs.	4 lbs.	8 lbs.	16 lbs.
	Mistura sennæ composita - -	2 pts.	4 pts.	6 pts.	8 pts.
	*Oleum crotonis - - - - -	1 dr.	1 dr.	1 dr.	1 dr.
	" lini - - - - -	1 pt.	2 pts.	3 pts.	4 pts.
	" olivæ - - - - -	4 oz.	6 oz.	8 oz.	12 oz.
	" ricini - - - - -	1 pt.	1 pt.	2 pts.	2 pts.
	** " terebinthinæ - - - -	6 oz.	8 oz.	10 oz.	12 oz.
	Paraffinum molle (Vaseline or Salvo Petrolia).	12 "	16 "	20 "	20 oz.
	*Phenacetinum - - - - -	1 "	2 "	3 "	4 "

Directions to Druggists.	Articles.	1 For 100 Passen- gers.	2 For 250 Passen- gers.	3 For 500 Passen- gers.	4 For 750 Passen- gers and upwards.
* To be marked with a red poison label. See directions in col. 1, page 1.	†Pilula colocynthidis composita (4 gra.)	4 doz.	6 doz.	8 doz.	10 doz.
	" hydrargyri (4 gra.) - -	3 "	4 "	6 "	8 "
	" plumbi cum opio (3 gra.) -	3 "	4 "	6 "	8 "
	" rhei composita (4 gra.) -	4 "	6 "	8 "	12 "
	" saponis composita (3 gra.) -	3 "	4 "	6 "	8 "
**All articles marked with two asterisks should, in addition to the red poison label, be carried in green fluted bottles and labelled for external use only.	Potassii bicarbonas - - -	4 oz.	8 oz.	12 oz.	16 oz.
	" chloras - - - -	4 "	8 "	12 "	16 "
	" iodidum - - - -	4 "	8 "	12 "	16 "
	" nitras - - - -	1 "	2 "	3 "	4 "
	|| " permanganas - - -	4 "	8 "	12 "	16 "
	Pulvis cretæ aromaticus - -	4 "	6 "	8 "	12 "
	" glycyrrhizæ compositus -	4 "	6 "	8 "	12 "
	" ipecacuanhæ compositus -	4 dra.	6 dra.	8 dra.	12 dra.
	Quinina sulphas - - - -	1 oz.	2 oz.	3 oz.	4 oz.
	Sodii bicarbonas - - - -	4 "	8 "	12 "	16 "
† All pills to be coated with gelatin.	" salicylas - - - -	4 "	6 "	8 "	10 "
	Spiritus ætheris nitrosi - -	8 "	10 "	12 "	16 "
	Spiritus ammoniæ aromaticus -	6 "	10 "	15 "	20 "
	" chloroformi - - - -	3 "	4 "	6 "	8 "
	" menthæ piperitæ - - -	1 "	1 "	2 "	3 "
| Directions for making the liquor to be on the bottle.	" rectificatus - - - -	6 "	8 "	10 "	12 "
	*Sulphonas (in powder) - - -	1 "	2 "	3 "	4 "
	*Syrupus chloral - - - -	2 "	4 "	6 "	8 "
	*Tabellæ trinitrini - - - -	1 "	1 "	1 "	1 "
	**Tinctura arnicæ - - - -	1 "	2 "	3 "	4 "
	" benzoini composita - - -	2 "	4 "	6 "	8 "
	" camphoræ composita - - -	8 "	12 "	16 "	20 "
	" cardamomi composita - - -	6 "	8 "	10 "	12 "
	" catechu - - - -	2 "	4 "	6 "	8 "
	* " chloroformi et morphinæ composita -	1 "	2 "	3 "	4 "
	* " digitalis - - - -	2 "	4 "	6 "	8 "
	* " ferri perchloridi - - -	2 "	4 "	6 "	8 "
	" gentianæ composita - - -	4 "	6 "	8 "	10 "
	* " opii - - - -	2 "	4 "	6 "	8 "
	" scillæ - - - -	2 "	4 "	6 "	8 "
	" senegæ - - - -	4 "	8 "	12 "	16 "
	" zingiberis - - - -	2 "	2 "	4 "	4 "

Directions to Druggists.	Articles.	1 For 100 Passen- gers.	2 For 250 Passen- gers.	3 For 500 Passen- gers.	4 For 750 Passen- gers and upwards.
*To be marked with a red poison label. See directions in col. 1, page 1.	†Unguentum acidi borici - -	2 oz.	4 oz.	6 oz.	8 oz.
	" gallæ cum opio - -	2 "	2 "	4 "	4 "
	" hydrargyri - -	1 "	1 "	2 "	2 "
**All articles marked with two asterisks should, in addition to the red poison label, be carried in green fluted bottles and labelled for external use only.	" " ammoniati - -	1 "	2 "	3 "	4 "
	" sulphuris - -	10 "	15 "	20 "	20 "
	" zinci - -	8 "	12 "	16 "	20 "
	*Vinum antimoniale - -	1 "	1 "	2 "	2 "
	" colchici - -	1 "	1 "	2 "	2 "
† 1 dr. to the oz. of white or yellow wax should be incorporated in all ointments.	" ipecacuanhæ - -	4 "	6 "	8 "	12 "
	Zinci oxidum - -	1 "	2 "	3 "	4 "
	" sulphas - -	1 "	2 "	3 "	4 "
	<hr/>				
	Hypodermic injection case with syringe, nickel-plated needles and tablets or discs of—				
‡ A powder containing not less than 20 per cent. of pure carbolic or cresylic acid. The powder to be securely packed in tin canisters containing not more than 4 lbs. in each tin.	Tartrate of morphine ($\frac{1}{4}$ gr.) -	2 doz.	3 doz.	4 doz.	6 doz.
	Sulphate of atropine ($\frac{1}{160}$ gr.) -	1 "	1 "	2 "	2 "
	Hydrochloride of cocaine ($\frac{1}{4}$ gr.) -	2 "	4 "	6 "	8 "
	Apomorphinæ hydrochloridum ($\frac{1}{10}$ gr.) -	1 "	1 "	1 "	1 "
	†Disinfectants—				
‡ A liquid containing not less than 80 per cent. of free carbolic or cresylic acid.	‡Carbolic acid powder, or other disinfectant powder of approved quality.	1 cwt.	2 cwt.	3 cwt.	4 cwt.
	‡Commercial carbolic acid, or other disinfectant of approved quality.	1 gal.	2 gals.	3 gals.	4 gals.
	Sulphur for fumigation - -	5 lb.	10 lbs.	20 lbs.	30 lbs.
	**Tablets of perchloride of mercury, each to make a quart of solution (1 in 1,000).	100	100	100	100

† Samples of the disinfectants supplied will be occasionally taken for analysis to determine whether they fulfil the requirements of the Board of Trade.

MEDICAL STORES.

	Lint - - - - -	4 oz.	6 oz.	10 oz.	14 oz.
	Boric lint - - - - -	3 "	6 "	9 "	12 "
	Absorbent cotton wool - - -	1 lb.	2 lbs.	3 lbs.	4 lbs.
	Strapping (Rubber plaster) - -	2 yds.	3 yds.	4 yds.	6 yds.
	Bed-pan - - - - -	2	2	4	4
6 yds. long, 3 in. wide	Leg and arm bandages - - -	1 doz.	2 doz.	3 doz.	4 doz.
6 " 6 "	Flannel - - - - -	2	3	4	4

Directions to Druggists.	Articles.	1. For 100 Passen- gers.	2 For 250 Passen- gers.	3 For 500 Passen- gers.	4 For 750 Passen- gers and upwards.
Base 48 in., sides, 33 in. each. * May be of single texture but must be at least 3 feet wide.	Triangular - - - - -	2	2	3	3
	Calico for bandages - - - -	3 yds.	4 yds.	5 yds.	6 yds.
	Gamgee tissue - - - - -	2 "	4 "	5 "	6 "
	Double cyanide gauze - - - -	2 "	3 "	4 "	5 "
	Oiled silk, or substitute prepared by Messrs. Christy and Co.	1 "	1 "	1 "	1 "
	* Waterproof sheeting - - - -	4 "	4 "	4 "	4 "
	Safety pins - - - - -	3 doz.	3 doz.	6 doz.	6 doz.
	Mustard leaves - - - - -	2 tins.	2 tins.	2 tins.	2 tins.
	Plaster of Paris bandages (in tins) prepared for use.	1 doz.	1 doz.	1 doz.	1 doz.
	Set of Oline's splints - - - -	1	1	1	1
	MacIntyre's splint - - - - -	1	1	1	1
	Trusses, single, reversible 30" -	1	1	2	2
	" " " 36" - - - - -	1	1	2	2
	" double 36" - - - - -	1	1	2	2
	Cardboard, gutta-percha, or per- forated felt for splints.	2 sq. ft.	2 sq. ft.	4 sq. ft.	4 sq. ft.
	Minim measure - - - - -	2	2	2	2
	Ounce " - - - - -	1	1	1	1
	3 ounce " - - - - -	1	1	1	1
	Stomach tube with glass funnel -	1	1	1	1
	Higginson's enema syringe - -	1	1	2	2
	Glass or pewter syringes, $\frac{1}{2}$ oz. -	6	9	12	15
	Box of small scales and weights -	1	1	1	1
	Wedgwood mortar and pestle - -	1	1	1	1
	Wedgwood funnels - - - - -	2	2	2	2
	Iron basin, enamelled white (for lotions).	1	1	1	1
	Enamelled iron aseptic dressing tray (triangular shape).	1	1	1	1
	Spatulas - - - - -	2	2	2	2
	Sponges, aseptically prepared, in hermetically sealed bottles con- taining one dozen.	1	1	2	2
	Bottles, for medicines, 2 oz. - -	1 doz.	2 doz.	3 doz.	3 doz.
	" " 8 oz. - - - - -	2 "	4 "	6 "	8 "
	Fluted bottles for external applica- tions, 2 oz.	1 "	1 "	2 "	2 "
	Fluted bottles for external applica- tions, 6 oz.	1 "	1 "	2 "	2 "
	Corks, assorted - - - - -	6 "	10 "	15 "	20 "
	Chip ointment boxes - - - - -	1 "	1 "	2 "	2 "
	Packets of nested pill boxes - -	1	2	3	4
	Blank labels - - - - -	6 doz.	10 doz.	15 doz.	20 doz.
	Poison labels - - - - -	2 "	4 "	6 "	8 "
	Dispensary paper, white demy -	$\frac{1}{2}$ qr.	$\frac{1}{2}$ qr.	1 qr.	1 qr.
	Camel's hair pencil brushes - -	3	4	6	6
	Æther inhaler - - - - -	1	1	1	1

Directions to Druggists.	Articles.	1 For 100 Passengers.	2 For 250 Passengers.	3 For 500 Passengers.	4 For 750 Passengers and upwards.
The Surveyors will require all filters to be tested at the Government Laboratory.	Urinary test case, containing spirit lamp, litmus paper, 6 test tubes, Nitric acid and Liquor Potassæ, 2 oz.	1	1	1	1
	Glycerinated calf lymph in tubes -	1 doz.	2 doz.	3 doz.	4 doz.
	Authorised Book of Directions for Medicine Chests ("The Ship Captain's Medical Guide," latest edition).	1	1	1	1
	British Pharmacopœia.	1	1	1	1
	A 2-gallon Pasteur-Chamberland filter, or other approved filter of like capacity, capable of delivering water free from micro-organisms.	1	1	1	1

INSTRUMENTS.

In Pocket Case.	<ul style="list-style-type: none"> 1 Artery forceps. 1 Dressing " 1 Finger knife. 1 Curved bistoury, sharp pointed. 1 Curved bistoury, blunt pointed. 2 Probes. 1 Silver director. 1 Caustic case. 1 Scissors. 1 Spatula. 2 Lancets. 1 Gum lancet, 12 Needles in vaseline. Tablet of silk with 4 sizes. 1 Fergusson's small saw. 1 Amputating saw. 2 Amputating knives. 1 Pair large dissecting forceps. 1 Bone forceps (bent). 2 Pair Wells' pressure forceps. 1 Trephine, $\frac{3}{4}$" size. 1 Elevator. 1 Trephine brush. 1 Eye spud. 	<ul style="list-style-type: none"> 2 Scalpels. 1 Hernia knife. 1 Hernia director. 2 Trocars and canulæ. 1 Aneurism needle. 1 Set of tooth instruments (forceps) in leather roll. 1 Set of tracheotomy instruments (3 double tubes and trachea dilator). 1 Set midwifery instruments (long forceps) in leather roll. 1 Esmarch's tourniquet (plain with hooks. 1 Esophageal probang with bristles. 1 Aspirator with two needles in case. 1 Length silkworm gut ligature. 3 Silver catheters (Nos. 4 and 8; and No. 12 with prostatic curve). 1 Full set of soft olive headed catheters. 2 Clinical thermometers, self-registering. 1 Stethoscope. 1 ft. draining tubing (No. 10 gauge).
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MEDICAL COMFORTS.

Articles.	Quantities for 100 Passengers.
Arrowroot - - - - -	7 lbs.
Pearl Barley - - - - -	5 lbs.
Semolina - - - - -	10 lbs.
Essence of extract of beef, of approved quality - - -	15 ½-lb. tins.
Condensed milk, of approved quality - - -	15 lb. tins.
Brandy - - - - -	1 gallon.

(e) Scale of Voyages.*

BOARD OF TRADE NOTICE, DATED JUNE 19, 1891, SUBSTITUTING A NEW SCALE FOR COMPUTATION OF VOYAGES FOR THAT CONTAINED IN SECTION 30 OF THE PASSENGERS ACT, 1855.†

Whereas by the thirtieth section of the Passengers Act, 1855,† it is enacted for the purposes of the Act, the length of voyage for a passenger ship proceeding from the United Kingdom to the several places therein mentioned shall be determined by a scale therein set forth, and that for the like purposes the Emigration Commissioners, acting by and under the authority of one of Her Majesty's principal Secretaries of State, by notice in writing issued under the hands of any two of such Commissioners, and published in the London Gazette, may, nevertheless, declare what shall be deemed to be the length of voyage from the United Kingdom to any of such places, or to any other port or place whatsoever, and may fix such different length of voyage as they may think reasonable for different descriptions of vessels :

And whereas it was deemed expedient to vary the said scale, and to reduce the length of voyage from the United Kingdom to North America in the said scale set forth, as regards passenger ships propelled by steam engines, at a rate of not less than ten statute miles an hour, and Her Majesty's Emigration Commissioners, having obtained the necessary authority in that behalf of Her Majesty's principal Secretary of State for the Colonies, did by notice, dated the fourth

* This scale takes effect as if prescribed under 57 & 58 Vict. c. 60, s. 269 ; see s. 745 (1) (a) of that Act.

† 18 & 19 Vict. c. 119.

June, One thousand eight hundred and sixty-four, and published in the London Gazette of the seventh June, One thousand eight hundred and sixty-four, declare that the length of voyage from the United Kingdom to North America (except from the west coast thereof) should for the purposes of the said Passenger Act, 1855,* be as follows, that is to say:— For passenger ships propelled by steam engines of sufficient power to propel the ship without the aid of sails at the rate of not less than ten statute miles an hour, if the ship clears out between the sixteenth day of January and the fourteenth day of October, both days inclusive, thirty-two days; and if the ship clears out between the fifteenth day of October and the fifteenth day of January, both days inclusive, thirty-seven days:

And whereas by the Merchant Shipping Act, 1872,† all the powers and duties vested in or imposed on the Emigration Commissioners by the Passengers Act, 1855,* and the Passengers Act Amendment Act, 1863,‡ are transferred to and imposed on the Board of Trade, and may be exercised by the said Board of Trade independently of the sanction or authority of one of Her Majesty's Principal Secretaries of State:

And whereas the Board of Trade did, by notice of the ninth day of June, One thousand eight hundred and eighty-two, published in the London Gazette of the thirtieth June, One thousand eight hundred and eighty-two, by notice of the twenty-seventh July, One thousand eight hundred and eighty-nine, published in the London Gazette of the thirtieth July, One thousand eight hundred and eighty-nine, and by notice of the eleventh May, One thousand eight hundred and ninety-one, published in the London Gazette of the fifth June, One thousand eight hundred and ninety-one,§ alter and amend the said scale:

And whereas it is expedient further to vary the said scale, and to declare what shall be the length of voyage for steamships having double screws and steaming at a rate of not less than fourteen statute miles per hour.

Now, therefore, the Board of Trade, in exercise of the powers vested in them by the said recited Act, do by this notice declare that from and after the date hereof, the length of the voyage for a passenger ship proceeding from the United Kingdom to the undermentioned places respectively shall, for the purposes of the Passengers Act, 1855,* and the Passengers Act Amendment Act, 1863,‡ be determined by, and the same shall be deemed to be, the length of voyage set out in the "scale for computation of voyages, contained in the schedule hereto.

* 18 & 19 Vict. c. 119. † 35 & 36 Vict. c. 73. ‡ 26 & 27 Vict. c. 51.

§ This notice is printed in Statutory Rules and Orders, 1891, p. 561.

And the Board of Trade do hereby declare that, from and after the date hereof, the said "scale for computation of voyages" shall be substituted for the scale set forth in Section 30 of the said first-recited Act, and amended by notices dated the 4th June, 1864, the 9th day of June, 1882, the 27th day of July, 1889, and the 11th day of May, 1891, respectively.

Given under my hand this 19th day of June, 1891.

Henry G. Calcraft,
Secretary.

Board of Trade,
7, Whitehall Gardens.

Schedule.

Scale of Computations

	<p>If the Ship be propelled by Sails alone or by Steam Power not sufficient without the aid of Sails to propel the Ship at the rate of at least five statute miles an hour.</p> <p>(1.)</p>	<p>If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less power than sufficient without the aid of Sails to propel the Ship at the rate of at least five statute miles an hour.</p> <p>(2.)</p>
	Days.	Days.
1. To North America (except to the west coast thereof) :		
For ships clearing out between the 16th day of January and the 14th day of October, both days inclusive.	70	40
For Ships clearing out between the 15th day of October and the 15th day of January, both days inclusive.	80	45
2. To the coast of Africa, south of the equator, or to the Falkland Islands, or to any part of the east coast of South America southward of the twenty-fifth degree of South latitude.	105	65
3. To Western Australia - - - -	120	85
4. To Queensland - - - -	150	90
5. To any other of the Australian colonies	140	90
6. To New Zealand - - - -	150	90
7. To the western coast of America, north of the fortieth degree of north latitude, and the islands adjacent thereto.	182	96

*Schedule.**of Voyages.*

<p>If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less power than sufficient without the aid of Sails to propel the Ship at the rate of at least 10 statute miles an hour for passages other than by the Suez Canal.</p> <p>(3.)</p>	<p>If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less power than sufficient without the aid of Sails to propel the Ship at the rate of at least 10 statute miles an hour for passages by the Suez Canal.</p> <p>(4.)</p>	<p>If the Ship has Double Screws and is propelled either wholly or in aid of Sails by Steam Engines of not less power than sufficient without the aid of Sails to propel the Ship at the rate of at least 14 statute miles an hour.</p> <p>(5.)</p>	<p>If the Ship has Double Screws and is propelled either wholly or in aid of Sails by Steam Engines of not less power than sufficient without the aid of Sails to propel the Ship at the rate of at least 14 statute miles an hour for passages by the Suez Canal.</p> <p>(6.)</p>
Days.	Days.	Days.	Days.
32	—	24	—
37	—	28	—
65	—	49	—
80	70	60	53
90	75	68	56
85	75	64	56
90	85	68	64
96	—	72	—

(f) Water.

ORDER IN COUNCIL APPROVING REGULATIONS AS TO DISTILLING APPARATUS AND QUANTITY OF WATER TO BE CARRIED BY PASSENGER SHIPS.

At the Court at Windsor, the 28th day of June, 1875.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Passengers Act, 1855,* it is, amongst other things, enacted that, before any passenger ship shall be cleared out, the emigration officer at the port of clearance shall satisfy himself that there is on board a sufficient quantity of pure water, carried in tanks or casks, to secure throughout the intended voyage the issue of three quarts daily to each statute adult, for the use of passengers, exclusive of the quantity required for cooking :

And whereas by the said Act it is also enacted that it shall be lawful for Her Majesty, by any Order in Council, to prescribe such rules and regulations as to Her Majesty may seem fit, for permitting the use on board passenger ships of an apparatus for distilling water, and for defining in such case the quantity of fresh water to be carried in tanks or casks for the passengers, and such Order in Council from time to time, to alter, amend, and revoke, as occasion may require :

And whereas by the Merchant Shipping Act, 1872,† it is enacted that all powers and duties vested in or imposed on the Emigration Commissioners, whether acting independently or under the sanction or authority of one of Her Majesty's principal Secretaries of State, by the Passengers Act, 1855,* and the Passengers Act Amendment Act, 1863,‡ shall be transferred to and imposed on the Board of Trade :

And whereas Her Majesty, by an Order in Council, dated the sixth day of May, One thousand eight hundred and fifty-seven § prescribed certain rules for permitting the use on board passenger ships propelled wholly by steam engines of not less power than is sufficient, without the aid of sails, to propel the ship at the rate of five statute miles an hour, having on board, in tanks or casks, only half the quantity of pure water required by the said Act to be carried for the use of the passengers, of an efficient apparatus for distilling fresh water from salt water.

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 35 & 36 Vict. c. 73 ; now repealed and consolidated with other Acts by the Merchant Shipping Acts, 1894 (57 & 58 Vict. c. 60).

‡ 26 & 27 Vict. c. 51 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

§ Published in "London Gazette," May 8, 1857, p. 1616.

And whereas Her Majesty, by an Order in Council, dated the fifth day of December, One thousand eight hundred and sixty-five,* prescribed certain rules and conditions for permitting the use on board passenger ships propelled by sails only, or by steam engines of less power than is sufficient, without the aid of sails, to propel the ship at the rate of five statute miles per hour, of an efficient apparatus for distilling fresh water from salt water, of the description commonly known either as Normandy's Patent, as Winchester and Graveley's Patent, or as Chaplin and Company's Patent :

And whereas it is expedient to revoke the said recited Orders in Council, and to issue in lieu thereof the Order herein-after contained :

Now, therefore, Her Majesty doth, by and with the advice of Her Privy Council, and in pursuance and in exercise of the authority vested in Her by the said Passengers Act, 1855,† hereby revoke the said Order in Council of the sixth day of May, One thousand eight hundred and fifty-seven,‡ and the said Order in Council of the fifth day of December, One thousand eight hundred and sixty-five,§ except in so far as the latter repeals a certain Order in Council of the ninth day of January, One thousand eight hundred and sixty-three, and doth hereby order as follows:—

Any passenger ship, whether propelled by steam engines or by sails only, or by sails and steam engines, may be cleared out and proceed on her voyage, having on board in tanks or casks, only half of the quantity of pure water required by the said Act to be carried for the use of the passengers: Provided that the following rules and regulations be observed; that is to say:—

1. That there be on board such ship an efficient apparatus for distilling fresh water from salt water of such a description as the Board of Trade may from time to time approve.

2. That the owners, charterers, or master of such ship, before clearance, lodge with the emigration officer at the port of clearance, a certificate from one of the engineer surveyors appointed by the Board of Trade, declaring that the apparatus is in good working condition, and that within seven days immediately preceding the date of such certificate the same had been examined by him, and stating the number of imperial gallons of pure fresh water which it is capable of producing in every twenty-four hours, and further declaring that the apparatus on board is such as has been approved by the Board of Trade as aforesaid.

* Published in "London Gazette," December 5, 1865, p. 6453.

† 18 & 19 Vict. c. 119; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

‡ Published in "London Gazette," May 8, 1857, p. 1616.

§ Published in "London Gazette," December 5, 1865, p. 6453.

3. That in every case such emigration officer shall be satisfied that the number of gallons of pure water which the apparatus is so certified to be capable of producing in every twenty-four hours is a number of gallons equal to the whole number of persons about to proceed on the intended voyage of such ship, that is to say, one gallon per head for the whole number of cabin passengers, passengers, and crew.

4. That there is rated on the ship's articles, and that there is on board the ship, some person or persons, who, to the satisfaction of the said emigration officer, shall be competent for the proper management and repair of such distilling apparatus; and to prevent all doubts on the construction of this Order in Council, it is hereby further ordered, that the terms "emigration officer," "statute adult," "master," and "passenger ship," shall herein have the same significations as are assigned to them in the said Passengers Act, 1855,* and the Passengers Act Amendment Act, 1863,† respectively, and the term "Board of Trade" shall herein have the meaning assigned to it by the Merchant Shipping Act, 1854.‡

(ii) Passenger Steamers.

ORDERS IN COUNCIL AS TO CERTIFICATES FOR PASSENGER STEAMERS GRANTED BY THE LEGISLATURES OF BRITISH POSSESSIONS.

(a) Bengal.

At the Court at Balmoral, the 17th day of October, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act, 1876,§ it is enacted that, when the Legislature of any British possession provides for the survey of and grant of certificates for passenger steamers, and the Board of Trade report to Her Majesty that they are satisfied that the certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to

* 18 & 19 Vict. c. 119 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 26 & 27 Vict. c. 51 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

‡ 17 & 18 Vict. c. 104 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

§ 39 & 40 Vict. c. 80 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Merchant Shipping, it shall be lawful for Her Majesty by Order in Council—

1. To declare that the said certificates shall be of the same force as if they had been granted under the said Acts ; and
2. To declare that all or any of the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall either without modification or with such modifications as to Her Majesty may seem necessary, apply to the certificates referred to in the Order ; and
3. To impose such conditions and to make such regulations with respect to the said certificates, and to the use, delivery, and cancellation thereof, as to Her Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations.

And whereas the Legislature of the British Possession of Bengal has provided for the survey of and grant of certificates for passenger steamers.

And whereas the Board of Trade have reported to Her Majesty that they were satisfied that such certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping ;

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Act, by and with the advice of Her Privy Council, is pleased to direct—

1. That the certificates granted under the said provision by the Legislature of the British Possession of Bengal for passenger steamers shall be of the same force as if they had been granted for the same purpose in the United Kingdom under the said Acts relating to Merchant Shipping.
2. That all the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall, without modification, except as herein-after mentioned, apply to the certificates referred to in this Order.
3. That it shall not be lawful for a passenger steamer to which this Order relates to proceed to sea with passengers on board from any port or place in the United Kingdom on any voyage to any port in Canada or the United States of America.
4. That if any such passenger steamer goes to sea from any place in the United Kingdom with any passengers on board upon any voyage to any port in Canada or the United States of America, the owner thereof shall for every such offence incur a penalty not exceeding fifty pounds, and such penalty is hereby imposed accordingly.

C. L. Peel.

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(b) Bombay.

At the Court at Windsor, the 26th day of June, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follows the first recital to the Order relating to Bengal, printed at p. 122 above] :

And whereas it was made to appear to Her Majesty that the Legislature of the British Possession of Bombay had provided for the survey of and grant of certificates for passenger steamers :

And whereas the Board of Trade reported to Her Majesty that they were satisfied that such certificates were to the like effect, and were granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping :

And whereas by Order in Council, dated the 28th day of October, 1879,* Her Majesty was pleased, by and with the advice of Her Privy Council, to declare that the certificates granted by the Legislature of the British Possession of Bombay for passenger steamers should be of the same force as if they had been granted for the same purpose in the United Kingdom under the said Acts relating to Merchant Shipping ; and that all the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts should, subject to certain modifications expressed in the said Order, apply to the certificates referred to therein :

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 28th day of October, 1879,* should be revoked, and a new Order in Council made and substituted in lieu thereof :

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order in Council of the 28th day of October, 1879,* shall be and the same is hereby revoked, and in lieu thereof, and in substitution therefor, Her Majesty is hereby pleased, by and with the advice of Her said Privy Council, to declare as follows, viz. :—

1. That the certificates granted under the said provision by the Legislature of the British Possession of Bombay for passenger steamers shall be of the same force as if they had been granted for the same purpose in the United Kingdom under the said Acts relating to Merchant Shipping.

* Published in "London Gazette," November 4, 1879, p. 6321.

2. That all the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall, without modification, except as hereinafter mentioned, apply to the certificates referred to in this Order.
3. That it shall not be lawful for a passenger steamer to which this Order relates to proceed to sea with passengers on board from any port or place in the United Kingdom on any voyage to any port in Canada or the United States of America.
4. That if any such passenger steamer goes to sea from any place in the United Kingdom with any passengers on board upon any voyage to any port in Canada or the United States of America, the owner thereof shall for every such offence incur a penalty not exceeding fifty pounds, and such penalty is hereby imposed accordingly.

C. L. Peel.

(c) New South Wales.

At the Court at Windsor, the 23rd day of November, 1893.

PRESENT:

The Queen's Most Excellent Majesty.

Lord President,
Lord Steward,

| Lord Kensington.

Whereas [*Here follows the first recital to the Order relating to Bengal, printed at p. 122 above*]:

And whereas the Legislature of the British Possession of New South Wales has provided for the survey and grant of certificates for passenger steamers.

And whereas the Board of Trade have reported to Her Majesty that they are satisfied that such certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping.

Now, therefore, Her Majesty is hereby pleased, by and with the advice of Her Privy Council:

(1.) To declare that the certificates granted under the said provision by the Legislature of the British Possession of New South Wales for passenger steamers shall be of the same force as if they had been granted for the same purpose in the United Kingdom under the said Acts relating to Merchant Shipping, provided the surveys of the vessels are conducted in accordance with such regulations as shall be annually approved by the Board of Trade.

(2.) To declare that all the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall, without modification, except as hereinafter mentioned, apply to the certificates referred to in this Order.

(3.) To declare that it shall not be lawful for a passenger steamer to which this Order relates, to proceed to sea with passengers on board from any port or place in the United Kingdom, on any voyage other than to the said Possession of New South Wales, or to any intermediate place or places situate on such voyage.

(4.) To declare that if any passenger steamer to which this Order relates goes to sea from any place in the United Kingdom with passengers on board upon any other voyage than a voyage to the said Possession of New South Wales, or any intermediate place or places as aforesaid, the owner thereof shall, for every such offence, incur a penalty not exceeding fifty pounds, and such penalty is hereby imposed accordingly.

C. L. Peel.

(d) New Zealand.

ORDER IN COUNCIL AT TO CERTIFICATES FOR PASSENGER
STEAMERS GRANTED BY THE LEGISLATURE OF NEW ZEALAND.

At the Court at Windsor, the 26th day of November, 1886.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Earl of Rosslyn,

Viscount Cross,
Lord Stanley of Preston.

Whereas [*Here follows the first recital to the Order relating to Bengal, printed at p. 122 above*]:

And whereas the Legislature of the British Possession of New Zealand has provided for the survey of and grant of certificates for passenger steamers:

And whereas the Board of Trade have reported to Her Majesty that they are satisfied that such certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom, under the Acts relating to Merchant Shipping:

Now, therefore, Her Majesty is hereby pleased, by and with the advice of Her Privy Council—

1. To declare that the certificates granted under the said provision by the legislature of the British Possession of New Zealand for passenger steamers shall be of the same force as if they had been granted for the same purpose in the United

Kingdom under the said Acts relating to merchant shipping; provided the surveys of the vessels are conducted in accordance with such regulations as shall be annually approved by the Board of Trade.

2. To declare that all the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall without modification, except as herein-after mentioned, apply to the certificates referred to in this Order.

3. To declare that it shall not be lawful for a passenger steamer to which this Order relates to proceed to sea with passengers on board from any port or place in the United Kingdom on any voyage other than one to the said Possession of New Zealand, or to any intermediate place or places situate on such voyage.

4. To declare that, if any passenger steamer to which this Order relates goes to sea from any place in the United Kingdom with any passengers on board upon any voyage other than a voyage to the said Possession of New Zealand, or any intermediate place or places as aforesaid, the owner thereof shall for every such offence incur a penalty not exceeding fifty pounds, and such penalty is hereby imposed accordingly.

C. L. Peel.

(e) Queensland.

1895. No. 135.

At the Court at Windsor, the 8th day of March, 1895.

PRESENT:

The Queen's Most Excellent Majesty,	
Lord Privy Seal,	Earl of Kimberley,
Lord Steward,	Lord Kensington.

Whereas by Part III. of the Merchant Shipping Act, 1894,* it is enacted that, where the Legislature of any British possession provides for the survey of, and grant of certificates for, passenger steamers, and the Board of Trade report to Her Majesty the Queen that they are satisfied that the certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under this Act, Her Majesty by Order in Council may—

- (1) declare that the certificates granted in the said British possession shall be of the same force as if granted under this Act; and
- (2) declare that all or any of the provisions of this part of this Act which relate to passenger steamers' certi-

* 57 & 58 Vict. c. 60.

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Australia.

**CERTIFICATES FOR PASSENGER
THE LEGISLATURE OF SOUTH**

14th day of February, 1883.

SENT :

ent Majesty in Council.

*follows the first recital to the
ted at p. 122 above] :*

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C. L. Peel.

(g) Tasmania.

1895. No. 572.

At the Court at Windsor, the 21st day of November, 1895.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,

Lord Privy Seal,

Marquess of Lansdowne.

Whereas by Section 284 of the Merchant Shipping Act, 1894 [*Here follows the first recital to the Order relating to Queensland, printed at p. 127 above, with the substitution of "Part III. of the said Act" for "this part of this Act"*]:

And whereas it has been made to appear to Her Majesty that the Legislature of the British Possession of Tasmania has provided for the survey of, and grant of certificates for, passenger steamers :

And whereas the Board of Trade have reported to Her Majesty that they are satisfied that such certificates are, as regards seagoing passenger steamers, to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the said Merchant Shipping Act, 1894 : *

And whereas the provisions of Section 1 of the Rules Publication Act, 1893, † have been complied with :

Now, therefore, Her Majesty in Council is hereby pleased to declare as follows, viz. :—

1. That the certificates granted under the said provision by the Legislature of the British Possession of Tasmania for sea-going passenger steamers shall be of the same force as if they had been granted for the same purpose in the United Kingdom under the Merchant Shipping Act, 1894.*

2. That all the provisions of the third part of the said Act which relate to passenger steamers' certificates shall, without modification, except as herein-after mentioned, apply to the certificates for sea-going passenger steamers granted in the said British Possession of Tasmania.

3. That it shall not be lawful for a passenger steamer to which this Order relates to proceed to sea with passengers on board from any port or place in the United Kingdom on any voyage other than to the said Possession of Tasmania or any intermediate place or places situate on such voyage.

4. That if any such passenger steamer goes or attempts to go to sea from any port or place in the United Kingdom, with any passengers on board upon any other voyage than a voyage to the said Possession of Tasmania or any intermediate place

* 57 & 58 Vict. c. 60.

† 56 & 57 Vict. c. 66.

or places as aforesaid, the owner and master thereof shall, for each such offence, incur a fine not exceeding fifty pounds, to be recovered in a summary manner, and such fine is hereby imposed accordingly.

C. L. Peel.

(h) **Victoria.**

1895. No. 134.

At the Court at Windsor, the 8th day of March, 1895.

PRESENT :

The Queen's Most Excellent Majesty,

Lord Privy Seal,
Lord Steward,

Earl of Kimberley,
Lord Kensington.

Whereas [*Here follows the first recital to the Order relating to Queensland printed at p. 127 above*]:

And whereas it has been made to appear to Her Majesty that the Legislature of the British Possession of Victoria has provided for the survey of and grant of certificates for passenger steamers :

And whereas the Board of Trade have reported to Her Majesty that they are satisfied that such certificates are, as regards foreign-going passenger steamers, to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the said Act :

Now, therefore, Her Majesty, in virtue of the powers vested in Her by the said recited Act, is hereby pleased to declare as follows, viz. :—

1. That the certificates granted under the said provision by the Legislature of the British Possession of Victoria for foreign-going passenger steamers shall be of the same force as if they had been granted for the same purpose in the United Kingdom under the Merchant Shipping Act, 1894.*
2. That all the provisions of the third part of the said Act which relate to passenger steamers' certificates shall, without modification, except as herein-after mentioned, apply to the certificates for foreign-going passenger steamers granted in the said British Possession of Victoria.
3. That it shall not be lawful for a passenger steamer to which this Order relates to proceed to sea with passengers on board from any port or place in the United Kingdom, on any voyage other than to the said Possession of Victoria, or to any intermediate place or places situate on such voyage ;

* 57 & 58 Vict. c. 60.

4. That if any such passenger steamer goes or attempts to go to sea from any port or place in the United Kingdom, with any passengers on board upon any other voyage than a voyage to the said Possession of Victoria or any intermediate place or places as aforesaid, the owner and master thereof shall, for each such offence, incur a fine not exceeding fifty pounds, to be recovered in a summary manner, and such fine is hereby imposed accordingly.

C. L. Peel.

4. Fishing Boats.

- | | |
|---|---|
| (i) <i>Commencement of Sea Fisheries Acts</i> , p. 132. | (v) <i>Apprenticeship Indentures and Agreements with Boys</i> , p. 186. |
| (ii) <i>Registry of British Sea Fishing Boats</i> , p. 134. | (vi) <i>Maintenance of Order</i> , p. 194. |
| (iii) <i>Certificates to Officers</i> , p. 165. | (vii) <i>Exemption from Dues</i> , p. 196. |
| (iv) <i>Engagement of Seamen</i> , p. 186. | (viii) <i>North Sea Fisheries Regulation</i> , p. 197. |

(i) Commencement of Sea Fisheries Acts.

NOTICE* OF THE BOARD OF TRADE DATED JANUARY 20, 1869, BRINGING THE SEA FISHERIES ACT, 1868,† INTO OPERATION.‡

Whereas by the Sea Fisheries Act, 1868,† it is (amongst other things) enacted as follows:—

“This Act shall (except as in this Act expressly otherwise provided) come into force on such a day as may be fixed by a notice in that behalf published in the “London Gazette,”

* This notice was gazetted January 22nd, 1869. † 31 & 32 Vict. c. 45.

‡ The following notification was published in the “London Gazette,” of February 9th, 1869.

“Sea Fisheries Act, 1868.”
(H. 500.)

Board of Trade, Whitehall, February 6, 1869.

The Board of Trade have received from the Secretary of State for Foreign Affairs a copy of a despatch from Her Majesty's Ambassador at Paris, enclosing copy of a note from the Imperial Minister of Foreign Affairs, stating that the French Government declare it to be impossible that the Convention relative to Fisheries, signed the 11th of November, 1867, between Her Majesty and the Emperor of the French, can be brought into operation until the prohibitions contained therein have been sanctioned by the Corps Legislatif; but that arrangements have been made in order that a law to that effect may be passed with as little delay as possible.

With reference to the notification published in the “Gazette” of the 22nd ultimo, that the day fixed for the coming into force of “The Sea Fisheries Act, 1868,” was on the 1st instant, notice is hereby given that the Convention above mentioned, which is set out in the first schedule to that Act, has not yet been brought into operation in the manner prescribed in the 39th Article thereof, and that until it has duly come into operation, so much of “The Sea Fisheries Act, 1868,” as relates thereto does not apply to French subjects and French vessels.

which day is in this Act referred to as the commencement of this Act.

Notice is hereby given that the day fixed for the said Act to come into force is the 1st day of February, 1869.

T. H. Farrer.

Secretary to the Board of Trade.

Board of Trade,
January 20, 1869.

NOTICE OF THE BOARD OF TRADE DATED MARCH 26, 1884,
BRINGING THE SEA FISHERIES ACT, 1883,* INTO OPERA-
TION.†

Whereas by "The Sea Fisheries Act, 1883,"* it is (amongst other things) enacted as follows:—

"This Act shall come into force on such day as may be fixed by a notice in that behalf published in the 'London Gazette,'† which day is in this Act referred to as the commencement of this Act";—

Notice is hereby given, that the day fixed for the said Act to come into force is the 15th day of May, 1884.

T. H. Farrer,

Secretary to the Board of Trade.

Board of Trade,
March 26, 1884.

BOARD OF TRADE NOTICE, DATED SEPTEMBER 7, 1891, FIX-
ING SEPTEMBER 15, 1891, AS THE DAY ON WHICH
PART I. OF THE FISHERIES ACT, 1891,‡ SHOULD COME
INTO FORCE.§

Whereas by Part I. of the Fisheries Act, 1891,‡ it is (amongst other things) enacted as follows:—

"This part of this Act shall come into force on such day as may be fixed in that behalf by a notice published in the 'London Gazette.' "§

Notice is hereby given, that the day fixed for Part I. of the said Act to come into force is the 15th day of September, 1891.

Henry G. Calcraft.

Secretary to the Board of Trade.

Board of Trade, September 7, 1891.

* 46 & 47 Vict. c. 22.

† This Notice was gazetted March 28, 1884. By Order in Council of February 8th, 1890, printed at p. 139 below, the provisions of the Act of 1883 were extended to an amending convention.

‡ 54 & 55 Vict. c. 37.

§ This Notice was gazetted September 8, 1891.

BOARD OF TRADE NOTICE, DATED APRIL 11, 1894, FIXING THE DAY FOR THE NORTH SEA FISHERIES ACT, 1893 (56 & 57 VICT. C. 17.), TO COME INTO FORCE.*

1894. No. 727.

Whereas by Section 10 of the North Sea Fisheries Act, 1893, it is (amongst other things) enacted as follows:—

“This Act shall come into force on such a day as may be fixed by a notice in that behalf published in the ‘London Gazette.’”

Notice is hereby given, that the day fixed for the said Act to come into force is the 23rd day of May, 1894.

Board of Trade,
April 11, 1894.

Courtenay Boyle,
Secretary to the Board of Trade.

(ii) Registry of British Sea Fishing Boats.

ORDER IN COUNCIL MAKING REGULATIONS AS TO THE REGISTRY, SALE AND MORTGAGE] OF BRITISH SEA FISHING BOATS, ENGAGED IN THE FISHING INDUSTRY IN SCOTLAND.

At the Court at Windsor, the 7th day of March, 1887.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas by the Sea Fisheries Act, 1868,† it is enacted that it shall be lawful for Her Majesty by Order in Council from time to time to do the following things (amongst others), that is to say:—

To make regulations for carrying out, enforcing, and giving effect to both the entry and registry of British sea fishing boats; and

To adopt in any such regulations any existing system of registry or lettering and numbering of boats;

To apply to the entering and registering respectively of sea fishing boats, and to all matters incidental thereto, such (if any) of the enactments contained in any Act relating to the registry of British ships, and with such modifications and alterations as may be found desirable;

* This Notice was gazetted April 13, 1894.

† 31 & 32 Vict. c. 45; ss. 22, 24 of this Act were with other Acts repealed and consolidated by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60.).

And also to impose penalties not exceeding 20*l.* for breach of any regulations made by any Order in Council for the breach of which a punishment cannot be provided by the application of the enactments contained in any Act relating to the registry of British ships:

And whereas by the Sea Fishing Boats (Scotland) 1886,* hereafter in this Order and in the schedule thereto referred to as "the Scotland Act," it is enacted that it shall be lawful for Her Majesty by Order in Council from time to time to make regulations for carrying out, enforcing, and giving effect to the provisions of that Act, and that every such Order shall be of the same force as if it had been enacted in that Act. And it is also enacted that the said last-mentioned Order shall be construed as one with the hereinbefore recited Act of 1868, and with any Orders in Council made thereunder:

And whereas, in pursuance of the power contained in the firstly hereinbefore recited Act, an Order in Council dated 18th day of June, 1869,† was duly made and issued and (among other things) there was by Article II. of the said Order provision made for the registering of fishing boats by the collector of Customs at the various Customs ports:

And whereas it is desirable for the complete carrying out of the object and intent of the secondly hereinbefore recited Act that in certain places on the coast of Scotland, and in the islands of Scotland, other than those at which collector of Customs are stationed, facility should be offered for the registering of fishing boats as a preliminary to making use of the said Act, and that at such places officers of the Fishery Board for Scotland should act in registration of fishing boats as if they were collectors of customs:

And whereas it is also desirable to make such further provision as to the registering of fishing boats in Scotland as is hereinafter contained:

Now, therefore, Her Majesty, in exercise of the powers respectively vested in Her by the hereinbefore recited Acts, and with the advice of Her Privy Council, is pleased to make the regulations which are set forth in the schedule hereto annexed, and to direct that the same shall come into force from the date of the present Order.

C. L. P.

Schedule to which the foregoing Orders refer.

Articles I., II.†

[These two Articles, which added seven Scottish ports to the places of registry, were repealed by the Order of March 24, 1902, printed at p. 142, below.]

* 49 & 50 Vict. c. 53.

† Repealed by Order of March 24, 1902, printed at p. 142, below.

Article III.

The registration and all matters relating to the registration of sea fishing boats under the Scotland Act, shall be under the control and management of the Commissioners of Customs; and it shall be lawful for the said Commissioners, in providing books of registry, to extend Schedule C. of the Act so as to make the same refer to transactions other than mortgages; and to do so either by subjoining and amplifying the column thereof headed "mortgages" or in such other way as they may think fit.

Article IV.

From and after the date of this Order there shall, upon application to register a boat presented at any port or place in accordance with the hereinbefore mentioned Order of the 18th day of June, 1869,* be rendered also a statement in such form, and declared to in such manner, as the Commissioners of Customs may direct, that the boat has, or, as the case may be, has not, been previously registered as a sea fishing boat at any other port or place.

Article V.

Upon the first occasion on which in relation to any boat or any share or shares in any boat registered under the Sea Fisheries Act, 1868, a bill of sale or mortgage is intimated and produced to a collector of customs for the purpose of being recorded by him under the Scotland Act, such bill of sale or mortgage shall be accompanied by the following documents, that is to say:—

If the boat has been registered for three years previously under the said Sea Fisheries Act, 1868;† by

(a) the certificate required under Section 15 of the Scotland Act, and

(b) a declaration by the registered owner that he and any other person or persons, if any, joining in the bill of sale or mortgage, constitute the owner or owners of the said boat or share or shares.

If the boat has not been registered for such three years as aforesaid then in addition to the certificate and declaration aforesaid—

A builder's certificate of the same character as that required by Section 40 of the Merchant Shipping Act, 1854,‡ in relation to British ships, and such other documents as that section indicates, and the enactments contained in Sections 40 and 41 of the said last-mentioned Act, shall so far as the same are applicable apply to and be read as part of this Article.

* Repealed by Order of March 24, 1902, printed at p. 142 below.

† Ss. 22-24 of this Act were with other Acts repealed and consolidated by the Merchant Shipping Act, 1894, (57 & 58 Vict. c. 60.)

‡ Repealed and consolidated by the Merchant Shipping Act, 1894.

Article VI.

Before the recording of any bill of sale or mortgage under the Scotland Act, the number and distinguishing letters of boat under the said Order of the 18th day of June, 1869 this Order, shall be deeply carved, cut, or branded into main beam or into the stem or stern post of the boat in permanent and conspicuous manner.

Article VII.

The enactment contained in Section 57 of the Merchant Shipping Act, 1854, as to the entry and endorsement of bills of sale registered under that Act shall *mutatis mutandis* apply to bills of sale recorded under the Scotland Act.

Article VIII.

The declaration required by Section 12 of the Scotland Act must be signed by every person becoming entitled therein referred to and upon every step of transmission, the said section as regulated by this article shall *mutatis mutandis* apply to transmission of the interests of owners as well as of those of mortgagees.

Article IX.

(a) No boat as to which there shall have been recorded a bill of sale or mortgage under the Scotland Act shall be transferred, as to the registry thereof, from one port or place to another, except upon the written application of all parties appearing on the register as being interested in such bill, whether as owners or mortgagees. Such application shall be attested to the satisfaction of the collector of customs by two witnesses to the signature of each person signing it.

(b) Upon application being made as herein-before mentioned, and upon delivery to him of the certificate of registry, the collector of customs shall transmit to the port at which the boat is intended to be registered, notice of the application having been made to him, together with a true copy of particulars relating to the boat, and the names of all parties appearing by his book to be interested as owners or mortgagees, and the collector of customs at the last-mentioned port shall, upon the receipt of such notice (and subject to the provisions herein-before mentioned), enter all such particulars and names in his book of registry; and the transfer of registry in the aforesaid shall not in any way affect the rights of the parties interested as aforesaid, but such rights shall in all respects be maintained and continue as if no such transfer had been effected.

(c) Before entry and transfer so made as aforesaid, the number and distinguishing letters already on the boat shall

cancelled without obliteration, in such way as the collector of customs shall direct, and the number and distinguishing letters of the boat at her new port shall be carved, cut, or branded in like manner as herein-before prescribed.

Article X.

In any case where a builder's certificate, or any declaration or other evidence required under the Scotland Act, or these regulations, shall not be forthcoming, it shall be lawful for the collector, with the sanction of the Commissioners of Customs, upon the production of substituted evidence, or subject to such terms as may be directed by the said Commissioners, to dispense with the production of the prescribed certificate, declaration, or other evidence as aforesaid.

Article XI.

Joint owners shall not be entitled to dispose in severalty of any interest in any boat or share; but no notice of any trust, expressed, implied, or constructive, shall be entered in the register.

Article XII.

Whenever under the Scotland Act or this Order, a bill of sale, mortgage, or entry by transmission is recorded by a collector of customs, he shall, as soon as practicable, transmit to the secretary of the Fishery Board for Scotland a copy of the record or entry made by him, and also the particulars of the boat to which the record or entry refers; and the Fishery Board shall thereupon enter the said particulars in a register to be kept by them for the whole of Scotland, and the register books, both at the ports or places above mentioned, and in the office of the Fishery Board, shall be open for inspection gratis, within official hours, at the instance of any person or persons who may *bona fide* desire to inspect them, with a view to his or their advancing a loan or otherwise, under the provisions of the Scotland Act, or any other legal purpose.

Article XIII.

Declarations required by these regulations to be made or produced, may be made before any collector of customs, or other person acting as such, under or by virtue of the herein-before recited Acts and Order, or under these regulations, or if preferred, such declarations may be made as statutory declarations under the Statutory Declarations Act, 1835.* In the case of any company or body corporate, the declaration shall be made by the secretary, or other duly appointed public officer.

Article XIV.

Any person failing to comply with, or committing a breach of any of these regulations, shall, wheresoever punishment is not provided by the application of other enactments, be liable to a penalty of 20*l*.

* 5 & 6 Will 4, c. 62.

Article XV.

Entries recorded in pursuance of the Scotland Act may proved in any court of justice, or before any person having law or consent authority to receive evidence, by copies of such entries certified under the hand of the collector of custom who is hereby required to furnish such copies to any persons applying at a reasonable time for the same.

ORDER IN COUNCIL APPLYING ALL THE PROVISIONS OF THE SEA FISHERIES ACT, 1883,* TO THE INTERNATIONAL CONVENTION OF FEBRUARY 1ST, 1889.

At the Court at Osborne House, Isle of Wight, the
8th day of February, 1890.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the twenty-third section of the Sea Fisheries Act, 1883,* it is enacted that "if at any time after the commencement of this Act any convention treaty or arrangement respecting sea fisheries is made between Her Majesty and any Foreign State, it shall be lawful for Her Majesty by Order in Council to direct that all or any of the provisions of this Act shall, and the same shall accordingly (subject to the exceptions, restrictions and conditions, if any in the Order mentioned) apply to the said Convention treaty or arrangement, and have effect in like manner as the said Convention, treaty or arrangement were set forth in the first schedule to this Act, and were part of that schedule and were the Convention referred to in this Act":

And whereas the said Act came into force pursuant to the twenty-ninth section thereof on the fifteenth day of May, One thousand eight hundred and eighty-four:†

And whereas by Article VIII. of the International Convention for the purpose of regulating the police of the fisheries in the North Sea outside territorial waters concluded at the Hague on the sixth May, One thousand eight hundred and eighty-eight and set out in the first schedule to the said Act, it is provided with reference to the initial letter or letters of ports to which fishing boats respectively belong and the registry numbers of the series of numbers for such ports (amongst other things) as follows:—

"The same letter or letters and numbers shall also be painted on each side of the main-sail of the boat immediately above the close reef in black oil colour on white or tanned sails, and in white oil colour on black sails."

* 46 & 47 Vict. c. 22.

† See Notice of March 26, 1884, printed at p. 133 above.

And whereas the said recited part of the said VIIIth Article constitutes the fifth paragraph of such Article :

And whereas the parties to the said Convention of May sixth One thousand eight hundred and eighty-two have considered it useful to modify the tenor of the said fifth paragraph of the VIIIth Article of the said convention and have for that purpose at the Hague on the first of February One thousand eight hundred and eighty-nine entered into the Convention or arrangement following :—

DECLARATION.

The Governments signatory to the Convention concluded at the Hague on the sixth May, One thousand eight hundred and eighty-two, for regulating the police of the fisheries in the North Sea, outside territorial waters, having deemed it expedient to modify the terms of paragraph five of Article VIII. have agreed to the following :—

ARTICLE I.

Paragraph five of Article VIII. of the Convention of the sixth May, One thousand eight hundred and eighty-two is replaced by the following provision :—

“ The same letters and numbers shall also be painted in oil colour on each side the main-sail of the boat, immediately above the close reef, and in such a manner as to be plainly visible ; they shall be painted, on white sails *in black*, on black sails *in white*, and on sails of an intermediate shade *in black* or *in white*, as the superior competent authority shall deem the more effective.”

ARTICLE II.

The date of the coming into force of the present declaration shall be fixed on the deposit of the ratifications which shall take place at the Hague as soon as possible, and in the same manner as the deposit was effected of the ratifications of the Convention of the sixth May, One thousand eight hundred and eighty-two.

In witness whereof the respective plenipotentiaries have signed the present declaration, and have affixed thereto the seal of their arms.

Done at the Hague, in six copies, the first February, One thousand eight hundred and eighty-nine.

Envoy Extraordinary and Minister Plenipotentiary of
Her Majesty the Queen of Great Britain and Ireland,

(L.S.) *Horace Rumbold.*

Fishing Boats :—Registry.

Envoy Extraordinary and Minister Plenipotentiary
His Majesty the German Emperor, King of Prussia
in name of the German Empire,

(L.S.) *Baron Saurma.*

Envoy Extraordinary and Minister Plenipotentiary
His Majesty the King of the Belgians,

(L.S.) *Baron D'Anethan*

Consul-General for Denmark,

(L.S.) *C. M. Viruly.*

Envoy Extraordinary and Minister Plenipotentiary
the French Republic,

(L.S.) *Louis Legrand.*

Minister for Foreign Affairs of His Majesty the King
the Netherlands,

(L.S.) *Hartsen.*

And whereas the said lastly recited Convention or Arrangement was duly ratified on the twenty-first day of December, One thousand eight hundred and eighty-nine, and upon deposit of the ratifications thereof the twenty-first day of February, One thousand eight hundred and ninety was fixed as the date of the coming into force of the same :

Now, therefore, Her Majesty in virtue of the powers vested in Her by the said recited Act, by and with the advice of Her Privy Council, is hereby pleased to direct that on and after the twenty-first day of February, One thousand eight hundred and ninety, all the provisions of the Sea Fisheries Act, 1883,* shall apply to the said Convention or Arrangement of the first of February, One thousand eight hundred and eighty-nine, and shall have effect in like manner as if the said Convention or Arrangement were set forth in the first schedule to the Sea Fisheries Act, 1883,* and were part of that schedule, and were the Convention referred to in the first, second, eighth, and all other sections of the said Act shall apply and refer to the said Convention or Arrangement of February first, One thousand eight hundred and eighty-nine, as well as to the Convention and the articles thereof in the said sections respectively mentioned.

C. L. Peel

* 46 & 47 Vict. c. 22.

ORDER IN COUNCIL MAKING REGULATIONS FOR THE
REGISTRY, LETTERING, AND NUMBERING OF BRITISH SEA
FISHING BOATS.

1902. No. 274.

At the Court of St. James's, the 24th day of March, 1902.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by Orders in Council dated respectively 18th June, 1869* ; 26th February, 1880† ; 3rd May, 1882‡ ; 7th March, 1887§ ; 28th November, 1889|| ; 21st March, 1890¶ ; 6th February, 1892** ; 5th August, 1892†† ; and 16th May, 1893,‡‡ certain regulations were made by Her late Majesty for the lettering, numbering and registering of British Sea Fishing Boats under the provisions of the Sea Fisheries Act, 1868§§ and the Sea Fisheries Act, 1883||| :

And whereas the provisions of the Sea Fisheries Act, 1868, and the Sea Fisheries Act, 1883, relating to the lettering, numbering, and registering of British Sea Fishing Boats were repealed by the Merchant Shipping Act, 1894,¶¶, and the provisions so repealed were re-enacted by Section 373 of the Act herein-after partly recited :

And whereas by Section 745 (1) (a) of the said Merchant Shipping Act, 1894, it is provided that any Order in Council or regulation made under any enactment thereby repealed shall continue in force as if it had been made under that Act :

And whereas by Section 373 of the Merchant Shipping Act, 1894, it is (amongst other things) enacted that :—

373.—(5.) Her Majesty, by Order in Council, may make regulations for carrying into effect and enforcing the entry of fishing boats in the fishing boat register, and any convention with a foreign country relative to the registry, lettering and numbering of fishing boats, which is for the

* Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1138.

† Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1146.

‡ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1147.

§ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1148.

|| Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1152.

¶ Printed in Statutory Rules and Orders, 1890, p. 653.

** Printed in Statutory Rules and Orders, 1892, p. 479.

†† Printed in Statutory Rules and Orders, 1892, p. 482.

‡‡ Printed in Statutory Rules and Orders, 1893, p. 305.

§§ 31 & 32 Vict. c. 45 ; ||| 46 & 47 Vict. c. 22.

¶¶ 57 & 58 Vict. c. 60.

time being in force by virtue of any statute, and may by such regulations:—

- (a) Adopt any existing system of registry or lettering and numbering of boats, and provide for bringing any such system into conformity with the requirements of this Act and of any such convention, and the regulations; and
- (b) Define the boats or classes of boats to which the regulations or any of them are to apply, and provide for the exemption of any boats or classes of boats from the provisions of this section, and from the regulations or any of them; and
- (c) Apply to the entry of fishing boats in the fishing boat register, and to all matters incidental thereto, such (if any) of the enactments contained in this or any other Act relating to the registry of British ships, and with such modifications and alterations as may be found desirable; and
- (d) Impose fines not exceeding twenty pounds for the breach of any such regulations which cannot be punished by the application of any of those enactments.

And whereas by Section 738 of the above mentioned Act it is enacted as follows:—

738.—(1.) Where Her Majesty has power under this Act, or any Act hereafter to be passed amending the same, to make an Order in Council, Her Majesty may from time to time make that Order in Council, and by Order in Council revoke, alter or add to any Order so made.

(2.) Every such Order in Council shall be published in the "London Gazette," and shall be laid before both Houses of Parliament within one month after it is made, if Parliament be then sitting, or if not, within one month after the then next meeting of Parliament.

(3.) Subject to any special provisions of this Act, upon the publication of any such Order the Order shall, as from the date of the publication or any later date mentioned in the Order, take effect as if it were enacted by Parliament.

And whereas by Section 30 of the Interpretation Act, 1889,* it is enacted as follows:—

30. In this Act and in every other Act, whether passed before or after the commencement of this Act references to the Sovereign reigning at the time of the passing of the Act or to the Crown shall, unless the contrary intention appears, be construed as references to the Sovereign for the time being, and this Act shall be binding on the Crown.

* 52 & 53 Vict. c. 63.

And whereas it is expedient that the said Orders in Council dated respectively the 18th June, 1869, the 26th February, 1880, the 3rd May, 1882, the 28th November, 1889, the 21st March, 1890, the 6th February, 1892, the 5th August, 1892, and the 16th May, 1893, and the regulations therein respectively referred to should be revoked, and that Articles 1 and 2 of the regulations referred to in the Order in Council dated the 7th March, 1887, should also be revoked :

Now, therefore, His Majesty, in exercise of the power vested in Him in manner herein-before recited by and with the advice of His Privy Council is pleased to revoke and doth hereby revoke the Orders in Council dated respectively the 18th June, 1869, the 26th February, 1880, the 3rd May, 1882, the 28th November, 1889, the 21st March, 1890, the 6th February, 1892, the 5th August, 1892, and the 16th May, 1893, and the regulations therein respectively referred to and also Articles 1 and 2 of the regulations referred to in the Order in Council dated the 7th March, 1887, and the same are revoked accordingly as and from the 1st day of May, 1902, and His Majesty is pleased to make in lieu of the regulations so revoked the regulations which are set forth in the schedule hereunto annexed, and doth order and direct that the same shall come into force on the 1st day of May, 1902.

A. W. FitzRoy.

Schedule.

REGULATIONS FOR THE REGISTRY, LETTERING, AND NUMBERING OF BRITISH SEA FISHING BOATS, UNDER PART IV. OF THE MERCHANT SHIPPING ACT, 1894, AND UNDER THE SEA FISHERIES ACTS, 1868 AND 1883.

1.—(1.) These regulations shall apply to and be observed in the case of every British sea fishing boat belonging to or hailing from any port or place in the British Islands, except—

- (a) Yachts or pleasure boats not used for catching fish for profit ;
- (b) Pilot boats, also used as fishing boats, and marked and numbered in accordance with a law or regulation requiring the same to be so marked and numbered ; and
- (c) Open and undecked boats navigated by oars only, if such boats are otherwise marked in accordance with Section 176 of the Customs Consolidation Act, 1876.* (The expression “undecked boats” shall mean boats not sufficiently decked to afford any sleeping accommodation).
- (d) Such boats employed in fishing and dredging for scientific purposes as may be exempted by the Board of Trade.

(2.) The boats hereby excepted shall be deemed to be exempted from the provisions of Section 373 of the Merchant Shipping Act, 1894.

(3.) The expression “boat,” when hereafter used in these regulations, shall mean a boat to which these regulations apply.

* 39 & 40 Vict. c. 36.

2. The ports and places set forth in the first column of the first schedule hereto shall be ports or places of registry for boats, and the letter or letters set forth in the second column of that schedule shall be the distinguishing letter or letters for those ports or places respectively.

3. The officers named in the fourth column of the first schedule shall be the officers appointed to carry out the work of registration and the provisions of these regulations within the limits set forth in the fifth column, and are hereafter referred to as registrars.

4. A register in the form set forth in the second schedule hereto, or in such other form as may be prescribed from time to time by the Board of Trade, with a consecutive series of numbers, shall be kept at each port or place of registry.

5.—(1.) The owner of any boat shall make application to have such boat entered in the fishing boat register and shall obtain for every boat belonging to him a certificate of registry in accordance with these regulations.

(2.) The application shall be made in the form set forth in the third schedule hereto, and with the particulars therein indicated, or in such other form as may be prescribed from time to time by the Board of Trade, to the registrar of the port or place of registry to which the boat belongs or from which she hails or is for the time being employed or nearest thereto, or may be made in duplicate in like form and with like particulars to the officer of coast guard or customs in charge of the nearest station, and in Scotland may also be made in duplicate in like form and with like particulars to any officer of the Fishery Board for Scotland. Any such officer other than the registrar, receiving the application shall forthwith forward one copy of the same to the registrar and shall retain and file the other copy.

(3.) The registrar on the receipt of the application and having no reason to doubt the correctness of the particulars contained therein shall cause the boat to be registered and shall appoint a number for the boat, and shall issue the certificate of registry to the applicant. The certificate shall be in the form set forth in the fourth schedule hereto, or in such other form as may be prescribed from time to time by the Board of Trade, and the letter or letters to be inserted in the certificate shall be the distinguishing letter or letters of the port or place of registry.

(4.) A certificate issued under these regulations shall be a certificate of registry or official paper within the meaning of the Sea Fisheries Act, 1868, and Part IV. of the Merchant Shipping Act, 1894, and an official document within the meaning of the Sea Fisheries Act, 1883, and as such must at all times be carried on board the boat. Provided that the Board of Trade shall have power to exempt from this requirement boats of any class or boats engaged in any class of fishing.

6. When any boat has not already a port of registry and a port to which she belongs by reason of her registry under Part I. of the Merchant Shipping Act, 1894, the port or place at which that boat is registered under these regulations shall be deemed to be the port or place to which she belongs. But boats belonging to any Customs port by reason of their registry under Part I. of the Act must be registered as fishing boats at the same port of registry by the officer of Customs.

7. For the purposes of these regulations boats shall be divided into three classes, namely:—

1st Class, which shall include all steamers of 15 tons gross tonnage and upwards, and all boats (other than steamers), of 15 tons register tonnage and upwards.

2nd Class, which shall include all steamers of less than 15 tons gross tonnage and all boats (other than steamers) of less than 15 tons register tonnage or of 18 feet keel and upwards.

3rd Class, which shall include all boats under 18 feet keel, other than those navigated by oars only and marked in accordance with Section 176 of the Customs Consolidation Act, 1876.*

* 39 & 40 Vict. c. 36. The Customs Consolidation Act, 1876, Section 176, requires all vessels and boats under 100 tons to have the name of the owner and of the port painted outside the stern, but this does not apply to boats registered as fishing boats.

Provided that in the case of canoes or other boats built without keels the measurement shall be made from stem to stern over all.

8.—(1.) At least once in every year, and in any case immediately upon a change of skipper, the owner of any boat shall submit the certificate of registry of his boat for examination to a registrar or other officer empowered by these regulations to receive applications for registry, and shall report the change of skipper, if any, and also any alteration respecting the boat or her employment. Any owner who fails to submit the certificate or to report in accordance with this regulation shall be liable to a fine not exceeding five pounds.

(2.) The officer to whom the certificate is submitted shall endorse on the certificate his name and the date of examination, and in the case of a change of skipper shall endorse the change, and shall at the same time make a record of the facts in such form as the Board of Trade may prescribe. If he is not the registrar he shall report the examination to the registrar of the port or place, and in the case of any change being reported respecting the boat, he shall forward the certificate of registry to the registrar for correction. The registrar shall forthwith make such alterations as may be necessary in the register and certificate of registry.

9.—(1.) A report respecting any entry made in the register shall, except so far as it relates to a change of owner or skipper, be forwarded to the Registrar-General of Shipping and Seamen, who shall by these means maintain a central register.

(2.) The registrar shall also forward annually to the Registrar-General a list of all the boats which have appeared on the register during the preceding year.

10. After registration no change shall be made in the name of any boat unless the Board of Trade are satisfied that the application for such change of name is made on reasonable and sufficient grounds, and direct that the name may be changed. In the event of any such direction being given, the name of the boat may be changed and the register and certificate altered accordingly. In all cases of change of name the former name shall appear in the register and on the certificate.

11.—(1.) On a change of ownership of any registered boat—

(a) The new owner shall make application for the registry of the boat in the manner prescribed by these regulations.

(b) The previous owner shall deliver up the certificate of registry to the registrar of the port or place of registry, and the registrar shall thereupon cancel the certificate, and note the cancellation in the register against the registry of the boat.

(2.) Any person who fails without reasonable cause, proof whereof shall lie on him, to deliver up to the registrar the certificate of a boat on his ceasing to be the owner thereof, or account for the same to the satisfaction of the registrar, shall be liable to a fine not exceeding five pounds.

12. On the transfer of any boat to another port or place of registry, the owner of such boat may apply in writing to the registrar of the port or place to which the boat belongs to transfer the registry of the boat from that port or place to the new port or place of registry, and shall deliver up the existing certificate of registry for cancellation, or account for the same to the satisfaction of the registrar, and the registrar shall transmit the application, together with all necessary particulars relating to the boat, to the registrar of the port or place at which it is desired that the boat should be registered, and the last-named registrar shall thereupon enter the boat in the register of his port or place, and shall grant a fresh certificate of registry, and the previous registry shall cease to have effect.

13.—(1.) In the event of a registered boat being either actually or constructively lost, burnt, or broken up, or ceasing to be a British sea fishing boat, the owner of the boat shall immediately give notice thereof to the registrar of the port or place of registry, and shall deliver up to the registrar the certificate of registry, or account for the same to the satisfaction of the registrar. The registrar shall thereupon cancel the certificate, and note the cancellation in the register against the registry of the boat.

(2.) Any owner who fails without reasonable cause, proof whereof shall lie on him, to give notice in accordance with this regulation, or to deliver up or account for the certificate shall be liable to a fine not exceeding five pounds.

(3.) If from any representation made by the owner or otherwise, the Board of Trade are satisfied that any boat has ceased to exist as a British sea fishing boat, although the owner may have omitted or been unable to give notice of the same as required, they may direct that the register of such boat shall be cancelled.

(4.) The provisions of this and the two preceding regulations so far as they refer to the cancellation of registry or to a boat ceasing to be a British sea fishing boat shall not apply to boats as to which there is an existing registration under the provisions of the Sea Fishing Boats (Scotland) Act, 1886.*

14. When the owner of a boat applies to and proves to the satisfaction of the registrar of the port or place of registry that the certificate of registry of the boat has been mislaid, lost, or destroyed, the registrar may upon payment of a fee of one shilling grant to the owner a copy of the certificate of registry of the boat certified under his hand to be a true copy, and that copy shall have all the effect of the original.

15. The name of each boat and that of the port or place of registry shall be painted in white oil colour on a black ground outside the stern of the boat in letters which shall be not less than three inches in height and half an inch in breadth.

16. Every boat shall bear in the following manner the letter or letters and the number assigned to the boat in her register.

(a) The letters shall precede the number.

(b) The letters and numbers shall be placed on each bow of the boat three or four inches below the gunwale and so as to be clearly visible.

(c) In the case of steamers, the letters and number shall, in addition, be placed in a similar manner on each quarter and on the funnel twelve inches from the top, of a conspicuous size, and as far as possible on the foremost half of the circumference.

(d) The letters and number shall be painted in white oil colour on a black ground.

17.—(1.) The same letters and number shall be painted in oil colour on each side of the centre cloth or cloths of the mainsail of the boat immediately above the close reef, and in such a manner as to be plainly visible. They shall be painted on white sails in black, and on black sails in white, and where the sails are of an intermediate shade, the said letters and number shall be painted in black on sails of light shade, and in white on sails of dark shade.

(2.) Provided that in the case of a lug sail boat the letters and number shall be placed on the sail which is commonly used when the boat is engaged in fishing.

(3.) Whenever the registrar of the port, or place of registry, reports to the Board of Trade that he is in doubt as to the effectiveness for the purposes of these regulations of the colour of the letters and number in the case of a boat having any sail of intermediate shade, or whenever any question arises as to the effectiveness for the purposes of these regulations of the colour of the letters and number for any sail of intermediate shade the letters and number shall be painted in black or in white as the Board of Trade may in each case direct.

18.—(1.) For boats of the first class the letters and numbers shall be, on the hulls, 18 inches in height and 2½ inches in breadth, and on the sails one-third larger every way.

(2.) For boats of the second class the letters and numbers shall be, on the hulls, 10 inches in height and 1½ inches in breadth, and on the sails one-third larger every way.

* 49 & 50 Vict. c. 53.

(3.) For boats of the third-class, the letters and numbers shall be, on the hulls, 6 inches at least in height and $\frac{1}{4}$ inch at least in breadth, and on the sails one-third larger every way.

(4.) Provided that in boats which have a "bend piece" or "rubbing streak" the letters and numbers shall be as high as the space above it will admit. In boats where the space between the gunwale and water-line is not sufficient for the prescribed height, the letters and numbers shall be as high as the space will admit.

(5.) In all cases, a space equal to one-third of the height of the letters shall be left between every two letters and every two figures forming the number, and the letters shall be separated from the number by twice the same space.

19.—(1.) The names, letters and numbers herein prescribed shall at all times be effectively kept up and renewed when required and a boat shall not have either on its outside or on its sails any name, letter, or number other than those herein prescribed.

(2.) Provided that in the case of any boat only temporarily engaged in fishing for purposes of sale, so much of these regulations as requires that letters and numbers shall be permanently affixed to the hull and sails or funnel shall not apply if such letters and numbers are temporarily affixed thereto during the whole period of fishing by means of board, canvas or iron in a manner otherwise according with these regulations.

20.—(1.) If any boat is not marked with name, letters and numbers in accordance with these regulations, the owner and the skipper of the boat shall each be liable to a fine not exceeding twenty pounds.

(2.) If any person effaces, alters, makes illegible, covers or conceals in any manner whatsoever the names, letters, or numbers, or is a party or privy to so doing, he shall be liable to a fine not exceeding twenty pounds.

21.—(1.) All small boats carried by, or attached to, sea fishing boats as tenders or otherwise, and all the buoys, barrels, and principal floats, all other fishing implements, and all grapnels and anchors shall be marked with the same letters and numbers as the boats to which they belong, so as to be easily distinguished. The owners of any small boats, buoys, barrels, floats, implements, grapnels or anchors may further distinguish them by any private marks they think proper.

(2.) Provided that in the case of fishing implements belonging to fishermen who are not the owners of the boat in which they are engaged in fishing, it shall be held sufficient if such implements are marked so as to identify the true owners. It shall lie upon the fishermen to satisfy any sea fishery officer that the implements properly form part of the fishing gear in use on the boats with which they may be found.

(3.) The owner and the skipper of any boat not having the small boat, or the implements used in connection with his boats, duly marked in the manner herein directed, shall each be liable to a fine not exceeding five pounds.

22. The ports and places set forth in the first column of the fifth schedule hereto shall henceforth cease to be ports or places of registry for sea fishing boats, and the register of boats kept at these places respectively shall be delivered into the custody of the registrar of the port or place named in the second column of the said schedule, and no further entries shall be made therein, except such as relate to existing registers. All entries made by the registrar to whose custody the register is delivered shall have the same effect as if made by the registrar of the port or place from which the register is transferred.

23. These regulations shall come into operation on the 1st day of May, 1902.

24.—(1.) The provisions of the Orders in Council mentioned in the sixth schedule hereto are hereby revoked to the extent specified in the last column of that schedule, provided that the revocation shall not affect anything done or suffered under any of the provisions so revoked.

(2.) Providing that any registry naming, lettering, or number on a fishing boat already effected in accordance with any regulation in the Orders in Council hereby revoked, although not in accordance with these regulations, shall, so long as the prescribed marks on the boat maintained, be deemed sufficient in the case of that boat until the regulations required by these regulations to be registered again.

NOTES.

(1.) The Merchant Shipping Act, 1894, Section 373, provides as follows: "If a fishing boat is not entered and is used as a fishing boat, the owner and skipper of such boat shall be liable for each offence to a fine not exceeding twenty pounds, and the boat may be detained."

(2.) The Sea Fisheries Act, 1868, Section 36, provides that a skipper who fails to produce a certificate of registry or official paper on board his boat shall be liable, together with the crew, to be taken into any port by any sea fishery officer and to a penalty not exceeding five pounds.

(3.) The Sea Fisheries Act, 1883, Section 12, provides that when it appears to a sea fishery officer that any provisions of that Act or of any Order in Council have been contravened, he may take the offender and his boat and crew into port and detain them in order to bring them before a Court.

First Schedule.

PORTS AND PLACES OF REGISTRY.

The Chief Officer of Customs herein referred to shall mean the Chief Officer of Customs superintending the Port or Place.

ENGLAND.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters formerly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Aberystwith -	A.B.	—	Chief Officer of Customs	The Customs Port.
Barnstaple -	B.E.	—	Do. do.	The Customs Port other portion as is assigned.
Barrow -	B.W.	—	Do. do.	The Customs Port.
Beaumaris -	B.S.	—	Chief Officer of Customs (stationed at Bangor).	Do. do.
Berwick-on-Tweed.	B.K.	—	Chief Officer of Customs	Do. do.
Bideford -	B.D.	—	Chief Officer of Customs (stationed at Appledore).	Dizard Point to Instow.
Blyth -	B.H.	—	Chief Officer of Customs	The Customs Port.
Boston -	B.N.	—	Do. do.	Do. do.
Bridgwater -	B.R.	—	Do. do.	Do. do.
Bristol -	B.L.	—	Do. do.	Do. do.
Brixham -	B.M.	—	Do. do.	Galampton Point to Brixham Point.
Cardiff -	C.F.	—	Do. do.	The Customs Port.
Cardigan -	C.A.	—	Do. do.	Do. do.
Carlisle -	C.L.	—	Chief Officer of Customs (stationed at Silloth).	Do. do.
Carnarvon -	C.O.	—	Chief Officer of Customs	Do. do.
Chester -	C.H.	—	Chief Officer of Customs (stationed at Connah's Quay).	Do. do.
Colchester -	C.K.	—	Chief Officer of Customs	The Customs Port other portion as is assigned.
Cowes -	C.S.	—	Do. do.	The Customs Port.
Dartmouth -	D.H.	—	Do. do.	The Customs Port other portions as are assigned to Ham and Salcombe.
Dover -	D.R.	D.L.	Do. do.	The Customs Port.
Exeter -	E.	L.E.	Do. do.	Do. do.
Falmouth -	F.H.	—	Do. do.	Do. do.

ENGLAND—continued.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters formerly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Faversham - -	F.	F.M.	Chief Officer of Customs (stationed at Whitstable).	The Customs Port.
Fleetwood - -	F.D.	—	Chief Officer of Customs	Do. do.
Folkestone - -	F.E.	—	Do. do.	The Customs Port other than such portion as is assigned to Rye.
Fowey - -	F.Y.	—	Do. do.	The Customs Port.
Gloucester - -	G.R.	C.W.	Do. do.	Do. do.
Goole - -	G.E.	—	Do. do.	Do. do.
Grimsby - -	G.Y.	—	Do. do.	Do. do.
Hartlepool, West -	H.L.	—	Do. do.	Do. do.
Harwich - -	H.H.	—	Do. do.	Do. do.
Hull - -	H.	G.A.	Do. do.	Do. do.
Ipswich - -	I.H.	W.E.	Do. do.	Do. do.
Lancaster - -	L.R.	—	Chief Officer of Customs (stationed at Glasson Dock).	Do. do.
Littlehampton -	L.I.	—	Chief Officer of Customs	Do. do.
Liverpool - -	L.L.	—	Do. do.	Do. do.
Llanelli - -	L.A.	—	Do. do.	Do. do.
London - -	L.O.	—	Do. do.	Do. do.
Lowestoft - -	L.T.	—	Do. do.	Do. do.
Lynn - -	L.N.	W.S.	Do. do.	Do. do.
Maldon - -	M.N.	—	Do. do.	Heybridge, Maldon and South bank of River Blackwater Eastward to Stansgate, inclusive.
Manchester - -	M.R.	—	Do. do.	The Customs Port other than such portion as is assigned to Run-corn.
Maryport - -	M.T.	—	Do. do.	The Customs Port.
Middlesbrough -	M.H.	—	Do. do.	Do. do.
Milford - -	M.	—	Do. do.	Do. do.
Newcastle - -	N.E.	—	Do. do.	Do. do.
Newhaven - -	N.N.	—	Do. do.	Do. do.
Newport, Mon. -	N.T.	—	Do. do.	Do. do.
Padstow - -	P.W.	—	Do. do.	Do. do.
Penzance - -	P.Z.	H.R.	Do. do.	The Customs Port other than such portion as is assigned to St. Ives.
Plymouth - -	P.H.	—	Do. do.	The Customs Port.
Poole - -	P.E.	—	Do. do.	Do. do.
Portsmouth - -	P.	—	Do. do.	Do. do.
Preston - -	P.N.	—	Do. do.	Do. do.
Ramsgate - -	R.	R.E.	Do. do.	Do. do.
Rochester - -	R.R.	—	Do. do.	Do. do.
Runcorn - -	R.N.	—	Do. do.	River Mersey from Warrington to a line drawn from Dungeon Point to Ince Ferry, exclusive of the Manchester Ship Canal.
Rye - -	R.X.	—	Do. do.	Dungeness to Galley Hill.
Salcombe - -	S.E.	—	Do. do.	Start Point to East side of Erme Mouth.
St. Ives - -	S.S.	—	Chief Officer of Customs (stationed at Hayle).	Gurnards Head to Chapel Rock.
Scarborough - -	S.H.	—	Chief Officer of Customs	The Customs Port.
Scilly - -	S.C.	—	Do. do.	Do. do.
Shields, North -	S.N.	—	Do. do.	Do. do.
Shields, South -	S.S.S.	—	Do. do.	Do. do.
Shoreham - -	S.M.	—	Chief Officer of Customs (stationed at Kingston-by-Sea).	Do. do.
Southampton -	S.U.	—	Chief Officer of Customs	Do. do.
Stockton - -	S.T.	—	Do. do.	Do. do.
Sunderland - -	S.D.	—	Do. do.	Do. do.
Swansea - -	S.A.	—	Do. do.	Do. do.
Teignmouth - -	T.H.	—	Do. do.	Do. do.
Truro - -	T.O.	—	Do. do.	Do. do.
Weymouth - -	W.H.	B.T.	Do. do.	Do. do.
Whitby - -	W.Y.	—	Do. do.	Do. do.
Whitehaven - -	W.A.	—	Do. do.	Do. do.
Wisbeach - -	W.I.	—	Do. do.	Do. do.
Workington - -	W.O.	—	Do. do.	Do. do.
Yarmouth (Norfolk).	Y.H.	—	Do. do.	Do. do.

SCOTLAND.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters for- mally allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Aberdeen - -	A.	A.N.	Chief Officer of Customs	The Customs Port.
Alloa - - -	A.A.	—	Do. do.	Do. do.
Arbroath - -	A.H.	—	Do. do.	Do. do.
Ballantrae - -	B.A.	—	Officer of the Fishery Board for Scotland (stationed at Girvan).	From Ayr to Sark River, Solway Firth, both inclusive.
Banff - - -	B.F.	—	Chief Officer of Customs (stationed at Macduff).	The Customs Port.
Borrowstoness - -	B.O.	—	Chief Officer of Customs	Do. do.
Broadford - -	B.R.D.	—	Officer of the Fishery Board for Scotland.	From Diabaig, inclusive, to Loch Nevis, exclusive, including the lochs and smaller islands within this range of coasts; also the islands of Skye, Raasay, Rona, and Croulin.
Campbeltown -	C.N.	—	Do. do.	From Tayinloan, inclusive, round the Mull of Cantyre to Skipness Point, inclusive, including the islands of Colonsay, Jura, Islay, Gigha, and Sanda.
Castlebay (Barra)	C.Y.	—	Do. do.	The Barra Isles, South Uist, Ben- becula, North Uist, the adjacent lesser islands, including those lying between North Uist and Harris and St. Kilda.
Dundee - - -	D.E.	—	Chief Officer of Customs.	The Customs Port.
Fraserburgh -	F.R.	—	Do. do.	Do. do.
Grangemouth -	G.H.	—	Do. do.	Do. do.
Granton - - -	G.N.	—	Do. do.	Do. do.
Greenock - - -	G.K.	—	Officer of the Fishery Board for Scotland (stationed at Glasgow).	From Glasgow westwards on the north side of the Clyde to Rose- neath Point, both inclusive, and including Gareloch; and on the south and east side of the River and Firth of Clyde to Ayr, ex- clusive, but including the Cum- braes.
Inverness - -	I.N.S.	I.	Chief Officer of Customs	The Customs Port, other than such portion as lies on the west coast of Scotland.
Kirkcaldy - -	K.Y.	—	Chief Officer of Customs (stationed at Burntis- land).	The Customs Port.
Kirkwall - - -	K. {	K.L. S.M.H.	Chief Officer of Customs	Do. do.
Leith - - - -	L.H.	—	Do. do.	Do. do.
Lerwick - - -	L.K.	—	Do. do.	Do. do.
Montrose - - -	M.E.	—	Do. do.	Do. do.
Oban - - - -	O.B.	—	Officer of the Fishery Board for Scotland.	From Loch Nevis to Oban, both inclusive, including the lochs within this range of coast, and the islands of Canna, Rum, Eigg, Muck, Coll, Tiree, Iona, Mull, Lismore, Kerrera, and the smaller islands.
Perth - - - -	P.E.H.	—	Chief Officer of Customs	The Customs Port.
Peterhead - -	P.D.	—	Do. do.	Do. do.
Rothsay - - -	R.O.	—	Officer of the Fishery Board for Scotland.	From Ardlamont Point, inclusive, to Roseneath Point, exclusive, including the lochs within this range of coast, and the islands of Bute and Arran.
Stornoway - -	S.Y.	—	Do. do.	The islands of Lewis and Harris, and the adjacent lesser islands, with the exception of those lying between North Uist and Harris.

SCOTLAND—continued.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters formerly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Tarbert (Lochfyne).	T.T.	A.G.	Officer of the Fishery Board for Scotland.	From Oban to Tayinloan, both exclusive, including the lochs and islands within this range of coast, and from Skipness Point and Ardlamont Point, both exclusive, on the two sides of Loch Fyne to the head of the Loch.
Ullapool - -	U.L.	—	Do. do.	From Cape Wrath to Diabaig, both exclusive, including the lochs and islands within this range of coast.
Wick - - -	W.K.	—	Chief Officer of Customs	The Customs Port, other than such portion as lies to the west of Cape Wrath.

Boats belonging to the following Customs Ports, by reason of their registry under Part I. of the Merchant Shipping Act, 1894, must be registered as fishing boats at the same port of registry by the Officer of Customs.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters formerly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Ardrossan - -	A.D.	—	Chief Officer of Customs	The Customs Port.
Ayr - - -	A.R.	—	Do. do.	Do. do.
Campbeltown - -	C.N.	—	Do. do.	Do. do.
Dumfries - -	D.S.	—	Do. do.	Do. do.
Glasgow - -	G.W.	—	Do. do.	Do. do.
Greenock - -	G.K.	—	Do. do.	Do. do.
Inverness - -	I.N.S.	I.	Do. do.	Do. do.
Irvine - -	I.E.	—	Do. do.	Do. do.
Port Glasgow - -	P.G.W.	—	Do. do.	Do. do.
Stornoway - -	S.Y.	—	Do. do.	Do. do.
Stranraer - -	S.R.	—	Do. do.	Do. do.
Troon - - -	T.N.	—	Do. do.	Do. do.
Wick - - -	W.K.	—	Do. do.	Do. do.
Wigtown - -	W.N.	—	Chief Officer of Customs (stationed at Stranraer).	Do. do.

IRELAND.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters for- merly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Belfast - - -	B.	—	Chief Officer of Customs	The Customs Port.
Coleraine - - -	C.H.	—	Do. do.	Do. do.
Cork - - -	C.	—	Do. do.	The Customs Port other than such portion as is assigned to Youghal.
Drogheda - - -	D.A.	—	Do. do.	The Customs Port.
Dublin - - -	D.	—	Do. do.	Do. do.
Dundalk - - -	D.K.	—	Do. do.	Do. do.
Galway - - -	G.	—	Do. do.	Do. do.
Limerick - - -	L.	—	Do. do.	Do. do.
Londonderry - -	L.Y.	—	Do. do.	Do. do.
Newry - - -	N.	—	Do. do.	Do. do.
Skibbereen - - -	S.	—	Chief Officer of Customs (stationed at Balti- more).	Do. do.
Sligo - - -	S.O.	—	Chief Officer of Customs	Do. do.
Tralee - - -	T.	—	Chief Officer of Customs (stationed at Fenit).	Do. do.
Waterford - - -	W.	N.S.	Chief Officer of Customs	The Customs Ports of Waterford and New Ross.
Westport and Newport.	W.T.	B.A.	Do. do.	The Customs Port.
Wexford - - -	W.D.	—	Do. do.	Do. do.
Youghal - - -	Y.	—	Do. do.	Ballymacart Head to Ring Point.

CHANNEL ISLANDS AND ISLE OF MAN.

Ports and Places of Registry.	Distinguishing Letters.	Other Letters for- merly allotted within the Port.	Registrars.	Limits.
(1.)	(2.)	(3.)	(4.)	(5.)
Guernsey - - -	G.U.	—	Chief Officer of Customs	The Customs Port.
Jersey - - -	J.	—	Do. do.	Do. do.
Castletown - - -	C.T.	Ca.Tn.	Do. do.	Do. do.
Douglas - - -	D.O.	D.O.S.	Do. do.	The Customs Port other than such portion as is assigned to Peel.
Peel - - -	P.L.	—	Do. do.	Dalby Point to Jurby Head.
Ramsey - - -	R.Y.	—	Do. do.	The Customs Port.

Second Schedule.

FORM OF REGISTER.

Name of Boat _____, Letters _____.

(If other than Letters of Port.)

Registered Number.			Port or Place to which Boat belongs.	Description of Boat.		If Registered under Merchant Shipping Acts.	
1st Class.	2nd Class.	3rd Class.		How Propelled. Rig and Sail used.	Mode of Fishing.	Official Number.	Port Number and Year.

Length of Keel.	Length.		Breadth.		Depth.		Tonnage.		Number of Crew.	
	Feet.	Tenths.	Fect.	Tenths.	Feet.	Tenths.	Gross.	Net.	Men.	Boys.

No. of Entry.	Date of Entry.	Name and Address of Owner.	Name of Skipper.	Remarks.	Certificate produced for Endorsements, &c.

Third Schedule.

APPLICATION TO REGISTER A BRITISH SEA FISHING BOAT.

Under Part IV. of the Merchant Shipping Act, 1894 (57 & 58 Vict. cap. 60, sec. 373).

Name of Boat _____
 *Class _____ *Letters _____ *Number _____

Port or Place _____ Place (Town or Village) _____
 to which Boat belongs) _____

Description of Boat { Sailing or Steam _____
 How rigged _____
 What Sails used, &c. _____
 When and where built _____

Mode of Fishing _____

	Feet.	Tenths.	Feet.	Tenths.
† Principal Dimensions { Length _____			Length of Keel _____	
Breadth _____			Gross _____	Net _____
Depth _____			Tonnage _____	

Owner _____ Skipper _____

Number of Crew usually employed Men _____ Boys _____

If Registered under Part I. of the Merchant Shipping Act, 1894. { Port of Registry _____
 Official Number _____
 Port Number and Year _____

(1) _____ (2) _____

Owner of the boat above described, declare that the said boat has (2) not been previously registered as a British Sea Fishing Boat (2) been previously registered as a British Sea Fishing Boat at (4) _____ and (1) _____ now request that it may be registered as such at _____

(1) "I" or "we."
 (2) Names of owner or owners, with address and calling.
 (3) Draw a line through the words which do not apply.
 (4) If boat previously registered, state port and number.

Signature of Owner _____

Date _____

* These particulars are to be filled in by the Registrar.
 † These measurements are to be made and the tonnage ascertained by the officer to whom the application is made. If the Boat is registered under Part I. of the Merchant Shipping Act, 1894, the particulars of principal dimensions and tonnage should be adopted from her certificate of registry.

Fourth Schedule.

CERTIFICATE OF REGISTRY OF A BRITISH SEA FISHING BOAT.

Under Part IV. of the Merchant Shipping Act, 1894 (57 & 58 Vict. cap. 60, sec. 373.)

Name of Boat _____

Class _____ Letters _____ Number _____

Port or Place of Registry _____ Place (Town or Village to which Boat belongs. } _____

Description of Boat { Sailing or Steam _____
How Rigged _____
What Sails used, &c. _____

Mode of Fishing

	Feet.	Tenths.		Feet.	Tenths.
Principal Dimensions.	Length _____		Length of Keel _____		
	Breadth _____		Gross.	Net.	
	Depth _____		Tonnage _____		
Owner _____			Skipper _____		
If registered under Part I. of the Merchant Shipping Act, 1894.	{		Port of Registry _____		
			Official Number _____		
			Port Number and Year _____		
Signature of Registrar _____					
Date _____					

*Fifth Schedule.**Places which cease to keep Registers.*

Places which cease to be Ports or Places of Registry.	Ports to which the Registers of the Boats have been transferred.
(1.)	(2.)
Bridport. Chepstow. Deal. Gainsborough. Hayle. Lyme. Wells. Woodbridge. Ballina. New Ross.	Weymouth. Gloucester. Dover. Hull. Penzance. Exeter. Lynn. Ipswich. Westport. Waterford.

Fishing Boats :—Registry.

Sixth Schedule.

Orders in Council revoked.

Orders in Council.		Extent of Repose
18th June, 1869 - -	General regulations - - - - -	Wholly.
26th February, 1880 - -	Additional regulations - - - - -	Wholly.
3rd May, 1883 - - -	Adding Barrow, and as to ports reduced or merged.	Wholly.
7th March, 1887 - -	Adding seven Scottish ports, and as to registry and mortgage in Scotland.	Arts. I. and
28th November, 1889 -	Abolishing St. Margaret's Hope as a place of registry.	Wholly.
21st March, 1890 - -	Colonns on sails under Declaration of 1889 - -	Wholly.
6th February, 1892 - -	Change of name - - - - -	Wholly.
5th August, 1892 - -	Adding Fraserburgh - - - - -	Wholly.
16th May, 1893 - - -	Adding Irvine, and defining expression "Collector of Customs."	Wholly.

ORDER IN COUNCIL APPLYING ALL THE PROVISIONS OF
SEA FISHERIES ACT, 1883,* TO THE CONVENTION
JUNE 24, 1901, BETWEEN HIS MAJESTY AND THE K
OF DENMARK.

1903. No. 214.

At the Court at Buckingham Palace, the 12th day of Ma
1903.

PRESENT:

The King's Most Excellent Majesty in Council.

Whereas by Section 23 of the Sea Fisheries Act, 1883
is provided as follows :—

23. If at any time after the commencement of this
any convention, treaty, or arrangement respecting
fisheries is made between Her Majesty and any For
State, it shall be lawful for Her Majesty, by Orde
Council, to direct that all or any of the provisions of
Act shall, and the same shall accordingly (subject to
exceptions, restrictions, and conditions, if any, in
Order mentioned) apply to the said convention, treaty
arrangement, and have effect in like manner as if the
convention, treaty, or arrangement were set forth in
first schedule to this Act, and were part of that sched
and were the Convention referred to in this Act.

And whereas on the 24th day of June, 1901, a Conven
was entered into between His Majesty the King of the Un
Kingdom of Great Britain and Ireland and His Majesty
King of Denmark for regulating the fisheries of their respec

* 46 & 47 Vict. c. 22.

subjects outside territorial waters in the ocean surrounding the Farøe Islands and Iceland, which Convention is set forth in the Schedule hereunto annexed :

And whereas the said Convention has been duly ratified :

And whereas it has been agreed between the high contracting parties that the said Convention shall come into operation from and after the thirty-first day of March, 1903 :

And whereas the high contracting parties engaged to propose to their respective legislatures any measures which might be necessary for insuring the execution of the said Convention, and it is deemed expedient in order to give effect to such engagement to apply the provisions of the Sea Fisheries Act, 1883, as provided by the above-recited section of the said Act :

Now, therefore, His Majesty, by and with the advice of His Privy Council, in pursuance of the powers in Him vested by the said section, doth by this Order direct that from and after the coming into operation of the said Convention all of the provisions of the Sea Fisheries Act, 1883, so far as they may be necessary for giving effect to and insuring the execution of the said Convention, shall apply to the said Convention.

A. W. FitzRoy.

Schedule referred to in the foregoing Order.

CONVENTION BETWEEN HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND HIS MAJESTY THE KING OF DENMARK, FOR REGULATING THE FISHERIES OF THEIR RESPECTIVE SUBJECTS OUTSIDE TERRITORIAL WATERS IN THE OCEAN SURROUNDING THE FARØE ISLANDS AND ICELAND.

His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of Denmark, being desirous of regulating the fisheries of their respective subjects outside Danish territorial waters in the ocean surrounding the Farøe Islands and Iceland, have resolved to conclude for this purpose a Convention, and have named their plenipotentiaries as follows :—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Marquess of Lansdowne, K.G., &c., &c., &c., His Majesty's Principal Secretary of State for Foreign Affairs ; and

His Majesty the King of Denmark, M. Frants Erast de Bille, His Chamberlain and Envoy Extraordinary and Minister Plenipotentiary at London, &c., &c., &c. :

Who, after having communicated the one to the other their full powers, found in good and due form, have agreed upon the following articles :—

Article I.

The provisions of the present Convention, the object of which is to regulate the police of the fisheries in the ocean surrounding the Farøe Islands and Iceland outside the territorial waters of these islands, shall apply to the subjects of the high contracting parties.

Article II.

The subjects of His Majesty the King of Denmark shall enjoy exclusive right of fishery within the distance of 3 miles from low-water along the whole extent of the coasts of the said islands, as well as dependent islets, rocks, and banks.

As regards bays, the distance of 3 miles shall be measured from a line drawn across the bay, in the part nearest the entrance, at the furthest where the width does not exceed 10 miles.

The present article shall not prejudice the freedom of navigation and anchorage in territorial waters accorded to fishing boats, provided they conform to the Danish Police Regulations ruling this matter, amongst the one stipulating that trawling-vessels while sojourning in territorial waters shall have their trawling-gear stowed away in-board.

Article III.

The miles mentioned in the preceding article are geographic miles, whereof 60 make a degree of latitude.

Article IV.

The geographical limits for the application of the present Convention shall be fixed as follows:—

On the south by a line commencing from where the meridian of Unst Lighthouse (Shetland Islands) meets the parallel of 61st degree north latitude to a point where the 9th meridian of west longitude meets the parallel of 60° north latitude, and from thence westward along the parallel to the meridian of 27° west longitude.

On the west by the meridian of 27° west longitude.

On the north by the parallel of 67° 30' of north latitude.

On the east by the meridian of the North Unst Lighthouse.

The aforesaid limits are shown on the Chart appended to the Convention.

Article V.

The fishing-boats of the high contracting parties shall be registered in accordance with the administrative regulations in force in their respective countries.

For each port there shall be a consecutive series of numbers, preceded by one or two initial letters, which shall be specified by the superior local authority.

Each Government shall draw up a list showing these initial letters.

This list, together with all modifications which may subsequently be made in it, shall be notified to the other Government.

Article VI.

Fishing-boats shall bear the initial letter or letters of the port to which they belong, and the registry number in the series of numbers of the port.

Article VII.

The name of each fishing-boat and that of the port to which she belongs shall be painted in white oil colour on a black ground on the stern of the boat, in letters which shall be at least 8 centim. in height and 12 mm. in breadth.

Article VIII.

The letter or letters and numbers which shall have been assigned to each vessel on its registration shall be painted in white oil colour on a black ground, and so as to be clearly visible, on each bow of the vessel, 10 centim. below the gunwale, provided the space admit it. The letters and numbers of vessels of 15 tons burden (gross tonnage) and upwards shall be 45 centim. in height and 6 centim. in breadth.

For boats of less than 15 tons burden (gross tonnage), the dimensions shall, if possible, be 25 centim. in height and 4 centim. in breadth.

The same letters and numbers shall also be painted in oil colour on each side of the main-sail of the boat immediately above the close reef, and in such a manner as to be plainly visible; they shall be painted on white sails in black, on black sails in white, and on sails of an intermediate shade in black or in white, as may be decided by the authority superintending the marking, in accordance with Article V. of the present Convention.

Steam fishing-vessels shall, in addition, bear the above marks on the funnel in a plainly visible manner. These marks should be of the same dimensions as those on the bow.

The letter or letters and numbers on the sails shall be one-third larger in every way than those placed on the bows of the boats.

Article IX.

Fishing-boats may not have, either on their outside, on their sails, or on their funnels any names, letters, or numbers other than those prescribed by Articles VI., VII., and VIII. of the present Convention.

Article X.

The names, letters, and numbers placed on the boats and on their sails and funnels shall not be effaced, altered, made illegible, covered, or concealed in any manner whatsoever.

Article XI.

All the small boats, buoys, principal floats, trawls, grapnels, anchors, and generally all fishing implements, shall be marked with the letter or letters and numbers of the boats to which they belong.

These letters and numbers shall be large enough to be easily distinguished. The owners of the nets or other fishing implements may further distinguish them by any private marks they think proper.

Article XII.

The master of each boat must have with him an official document, issued by the proper authority in his own country, for the purpose of enabling him to establish the nationality of the boat.

This document must always give the letter or letters and number of the boat, as well as her description and the name or names of the owner or the name of the firm or association to which she belongs.

Article XIII.

The nationality of a boat must not be concealed in any manner whatsoever.

Article XIV.

No fishing-boat shall anchor, between sunset and sunrise, on grounds where drift-net fishing is actually going on.

This prohibition shall not, however, apply to anchorings which may take place in consequence of accidents or of any other compulsory circumstances.

Article XV.

Boats arriving on the fishing grounds shall not either place themselves or shoot their nets in such a way as to injure each other, or as to interfere with fishermen who have already commenced their operations.

Article XVI.

Whenever, with a view of drift-net fishing, decked boats and undecked boats commence shooting their nets at the same time, the undecked boats shall shoot their nets to windward of the decked boats.



Article XXV.

All fishing-boats, all their small boats, all rigging gear, or other appurtenances of fishing-boats, all nets, lines, buoys, floats, or other fishing implements whatsoever, found or picked up at sea, whether marked or unmarked, shall, as soon as possible, be delivered to the competent authority of the first port to which the salvaging boat returns or puts in.

Such authority shall inform the consul or consular agent of the country to which the boat of the salvor belongs, and of the nation of the owners of the articles found. They (the same authority) shall restore the articles to the owners thereof or to their representatives, as soon as such articles are claimed, and the interests of the salvors have been properly guaranteed.

The administrative or judicial authorities, according as the laws of the respective countries may provide, shall fix the amount which the owner shall pay to the salvors. It is, however, agreed that this provision shall not in any way prejudice such conventions respecting this matter as are already in force, and that the high contracting parties reserve the right of regulating, by special arrangements between themselves, the amount of salvage at a fixed rate per net salvaged.

Fishing implements of any kind found unmarked shall be treated as wreck.

Article XXVI.

The superintendence of the fisheries shall be exercised by vessels belonging to the national navies of the high contracting parties. In the case of Denmark, such vessels may be vessels belonging to the State, commanded by captains who hold commissions.

Article XXVII.

The execution of the regulations respecting the documents establishing nationality, the marking and numbering of boats, &c., and of fishing implements as well as the presence on board of instruments which are forbidden (Articles VI., VII., VIII., IX., X., XII., XIII., and XXIII., para. 2), is placed under the exclusive superintendence of the cruisers of the nation of each fishing-boat. Nevertheless, the commanders of cruisers shall acquaint each other with any infractions of the above-mentioned regulations committed by the fishermen of the other nation.

Article XXVIII.

The cruisers of the high contracting parties shall be competent to authenticate all infractions of the regulations prescribed by the present convention, other than those referred to in Article XXVII., and all offences relating to fishing operations, whichever may be the nation to which the fishermen guilty of such infractions may belong.

Article XXIX.

When the commanders of cruisers have reason to believe that an infraction of the provisions of the present convention has been committed, they may require the master of the boat inculpated to exhibit the official document establishing her nationality. The fact of such document having been exhibited shall then be indorsed upon it immediately. The commanders of cruisers shall not pursue further their visit or search on board a fishing-boat which is not of their own nationality unless it should be necessary for the purpose of obtaining proof of an offence or of a contravention of regulations respecting the police of the fisheries.

Article XXX.

The commanders of the cruisers of the high contracting parties shall exercise their judgment as to the gravity of facts brought to their knowledge, and of which they are empowered to take cognizance, and shall verify the damage, from whatever cause arising, which may be sustained by fishing boats of the nationalities of the high contracting parties.

Article XXXVIII.

The present Convention shall be ratified. The ratifications shall be exchanged in London as soon as possible.

Article XXXIX.

The present Convention shall come into operation from and after a day to be fixed upon by the two high contracting parties after it shall have been notified by the Danish Government that measures have been passed in respect of the Farø Islands and Iceland by which freedom of navigation and anchorage within the territorial waters of the said islands is accorded to British fishermen (*vide* Article II., para. 3). The Convention shall continue in force until the expiration of two years from notice by either party for its termination.

The high contracting parties, however, reserve to themselves the power to make by mutual consent any modification in the Convention which experience shall have shown to be desirable, provided it is not inconsistent with the principles upon which the Convention is based.

Additional Article.

Any other Government the subjects of which carry on fishery in the ocean surrounding the Farø Islands and Iceland, may adhere to the present Convention.

The adhesion shall be notified to one of the Governments at Copenhagen or at London respectively. Such notification shall be communicated to the other Signatory Power.

In witness whereof the Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at London, in two copies, the 24th June, 1901.

(L.S.)

Lansdowne.

(L.S.)

F. Bille.

(iii.) Certificates to Officers.

RULES AS TO THE CONDUCT OF EXAMINATIONS AND THE QUALIFICATIONS OF APPLICANTS FOR CERTIFICATES OF COMPETENCY AS SECOND HAND OR SKIPPER OF FISHING BOATS; ISSUED IN PURSUANCE OF THE MERCHANT SHIPPING ACT, 1894 (57 & 58 VICT., C. 60),* AS AMENDED BY RULES DATED JANUARY, 1901.†

1900. No. 806, *as amended by* 1901. No. 309.

Certificates.

1. The Certificates of Competency which may be issued to fishermen under Part IV. of the Merchant Shipping Act, 1894, are as follows:—

Certificate A for Second Hands, available for all fishing boats of the class specified on the certificate.

Certificate B for Skippers, similarly available.

Certificate C for Second Hands, available only for steam fishing boats of the class specified on the certificate.

Certificate D for Skippers, similarly available.

* These Rules came into force November 1, 1900, and superseded all previous Rules and Circulars.

† The Rules of 1901 are printed at length in Statutory Rules and Orders, 1901, at p. 252.

Certificates marked "Limited Examination" of each of the grades A and B, for men whose experience has been confined to the neighbourhood of their own port, and who are unable to pass a full examination.

Extra certificates for each of the grades A, B, C and D, for men desirous of voluntarily proving their higher qualifications.

2. The superintendent of the mercantile marine office at a port shall inform any applicant for a certificate of the dates and place or places at which examinations will be held. Dates of examinations.

3.—(i.) At any port at which there is an examiner of masters and mates appointed and qualified under the Merchant Shipping Act, 1894, that officer shall be the examiner, assisted by an examiner in practical seamanship, being a skipper or retired skipper, similarly appointed and qualified. Examiners.

(ii.) At any port at which there is no examiner of masters and mates, the examiners shall be the superintendent of the mercantile marine office or his deputy, and such other officer, if any, of the Board of Trade or of a Local Marine Board as the Board of Trade may depute, together with an examiner in navigation and seamanship, being a skipper or retired skipper, or other person qualified under the Merchant Shipping Act, 1894, and appointed by the Board of Trade. At any such port an owner of one or more fishing boats, nominated in writing by owners of fishing boats belonging to or commonly using the port, and approved by the Board of Trade, shall be entitled to be present at the examinations.

4.—(i.) An applicant shall not be examined unless he has, not later than the day before the examination, lodged his application in due form with the superintendent of the mercantile marine office at the place of examination, and paid the examination fee. Applications and fees.

(ii.) The application must be made on Form S. 20, which may be obtained at any mercantile marine office. The form must be properly and fully filled in. The testimonials and proofs of service of the applicant must be attached thereto, and must include testimonials of general good character, and of sobriety, experience, ability, and good conduct on board ship.

(iii.) The fees shall be :—

For examination or re-examination as second

hand - - - - - 1/-

For examination or re-examination as skipper 2/-

For examination only in form and colour

vision and colour ignorance - - - - - 1/-

(iv.) The fee will not in any case be returned, but if the applicant has not been examined in consequence of a defect in

his qualifications he will be allowed, when he has become qualified, to again present himself for examination without further payment.

No further fee will be charged for an examination for an extra certificate.

Qualifications.

5.—(i.) An applicant for a certificate as second hand must be not less than 19 years of age, and for a certificate as skipper not less than 21 years of age. The application must be duly made, the testimonials must be satisfactory, and the fee must be paid.

(ii.) An applicant whose certificate under any of the Merchant Shipping Acts has been cancelled shall not be qualified for examination except by the special permission of the Board of Trade.

(iii.) An applicant for Certificate A, being a certificate of competency as second hand, must have served four years at sea, of which two years must have been on board deep-sea fishing boats. Provided that if the applicant holds any certificate of competency as master or mate granted under Part II. of the Merchant Shipping Act, 1894, he shall not be required to prove any further service.

(iv.) An applicant for Certificate B, being a certificate of competency as skipper, must have served five years at sea, of which one year must have been as certificated second hand on board boats of 25 tons tonnage and upwards engaged in the method of fishing for which the certificate is desired.

(v.) Certificates A and B will be available for either sailing or steam fishing boats of the class or classes for which they are issued.

(vi.) An applicant for Certificate C, being a certificate of competency as second hand on board steam fishing boats only, must have served four years at sea, of which one year must have been on board in one or other of the following capacities, viz.:—steam tugs of 25 tons gross tonnage or upwards, as master, second hand, engineman or fisherman.

(vii.) An applicant for Certificate D, being a certificate of competency as skipper on board steam fishing boats only, must have served, whilst holding a Certificate C, for one year either as master, second hand, engineman or fisherman on board steam fishing boats or tugs of 25 tons gross tonnage and upwards. During three months of that period the boat must have been engaged in the particular method of fishing for which the applicant desires a certificate.

(viii.) Certificates C and D will be available only for steam fishing boats engaged in the method of fishing specified on the certificate.

(ix.) If after any examination it should appear that applicant is qualified for a certificate differing from the one for which he has applied, the certificate for which he qualified may be issued to him.

(x.) No qualification of age or service shall be required in the case of persons desiring to pass an examination in the sight tests only.

6. Before proceeding to examine any applicant the examiners shall satisfy themselves that he is qualified for examination.

7. The certificate will not be issued if, after the examination, it should be discovered that the services or testimony of the applicant are insufficient, or that his character is unsatisfactory.

8.—(i.) An applicant for a Certificate A or B shall be examined in the following subjects, viz.:—in vision, the rule of the road at sea, the marks on the lead line and use of the lead, taking bearings by compass, ability to use a chart, and generally the duties of second hand or skipper respectively.

(ii.) In the case of an applicant for Certificate A or whose experience has been confined to the neighbourhood of his own port, and who is unable to pass the full examination the examiners may, if they think fit, report that he has passed a limited examination, provided that he has passed the sight tests and that they are satisfied on the following points, viz.:—(a) that he is competent to take charge of a fishing boat with due regard to the safety of life and property (b) that he has sufficient practical knowledge to navigate with safety the waters in which he is accustomed to fish; and that he is acquainted with the rule of the road at sea. The certificate shall, in such a case, be marked "Limited Examination."

(iii.) An applicant for Certificate C or D shall be examined in the following subjects, viz.:—in vision and in such subjects as relate more especially to the management of steam fishing boats. The certificates shall be marked, "For Steam—only," with the insertion of the method of fishing in which the boat is engaged.

9. The examination of an applicant for an ordinary "limited" Certificate A, B, C, or D, shall be entirely oral, and shall not include reading, writing, or arithmetic.

10. An applicant who is desirous of obtaining an extra certificate, whether A, B, C, or D, shall, in addition to the subjects prescribed in Rule 8, be examined in reading and writing and the working out of a few sums in simple arithmetic, addition, subtraction, multiplication, and division. For an extra Certificate B or D the applicant must further show

knowledge of the use of the quadrant and be able to take observations, to read on and off the arc, to find the index error by the horizon, to determine the latitude by the meridian altitude of the sun, and to work out a few sums in compound addition, subtraction, multiplication, and division. In each case the examiners must apply beforehand to the Principal Examiner of Masters and Mates, 54, Victoria Street, Westminster, London, S.W., for the necessary forms for carrying out these examinations.

11.* All applicants must pass the sight tests before they can be examined for any certificate. The regulations relating to these tests are as follows:—

(i.) The examination consists of three parts:—

- (a) Form vision test (*see* page 175).
- (b) Colour vision test (*see* page 177).
- (c) Colour ignorance test (*see* page 185).

An applicant will not be examined in the colour vision test until he has passed the form vision test, or in the colour ignorance test until he has passed the colour vision test.

(ii.) An applicant for a certificate of competency must pass the three tests mentioned in Rule (i.) above before he can be examined in navigation and seamanship, even though he may have passed the tests on some previous occasion.

(iii.) An applicant who fails to pass the "form vision test" or "colour ignorance test" can be re-examined at intervals of three months, but an applicant who fails to pass the "colour vision test" cannot be re-examined. It is open, however, to any applicant who has failed to pass that test to appeal to the Board of Trade, who may, if they think fit, remit the case to a special examiner or body of examiners for final decision.

(iv.) The expenses of applicants who are examined by the special examiners and are reported by them to have passed the three sight tests, will, under certain circumstances, be paid by the Board of Trade at a rate which will be notified to the applicant, but no payment whatever will be made towards the expenses of applicants who, upon their own application, are examined by the special examiners and are reported by them to have failed unless the Board of Trade consider that the particular circumstances of the case justify such payment. The special examinations will be held in London only.

* The new paragraph 11 was substituted for the previous paragraph 11 by the Order of 1901.

- (v.) When an applicant fails to pass the "colour vision test" the examiner will point out to him the conditions under which he can appeal. Appeals are to be made through the examiner, and forwarded to the Board of Trade with the examiner's remarks.
- (vi.) Only examiners who have themselves passed the colour test are to undertake these examinations.

By the Order of 1901 it was also provided as follows:—

2. The sight tests are open to all persons serving or intending to serve in the Sea-fishing Service.

3. Any person serving or intending to serve in the Sea-fishing Service, if desirous of undergoing the form vision, colour vision, and colour ignorance tests *only*, must make application to the superintendent of a mercantile marine office on the form S 20 A, and must pay a fee of one shilling.

This fee will be payable on each occasion upon which an applicant is examined in form vision and colours *only*.

4. Whenever the holder of a certificate fails to pass any of the three tests, there is reason to believe that he is from incompetency unfit to discharge his duties, and in the public interest the Board of Trade may cause an inquiry to be held by a court, having jurisdiction to cancel or suspend such certificate; but in the alternative, the Board of Trade may accept the voluntary surrender of the certificate until such time as the applicant succeeds in passing the test in which he failed.

12. An applicant who fails to pass the examination in **Failure.** navigation or seamanship shall not be qualified for re-examination until after the expiration of two months in the case of an applicant for a certificate as second hand, or three months in the case of an applicant for a certificate as skipper. The examiners shall decide whether the whole or any part of this period must be served at sea, having regard to the subjects in which the failure occurred, and shall enter their decision in their report and in their certificate of the result of the examination in Division H of the form of application.

13. The examiners shall forthwith report the result of every ordinary examination to the Registrar-General of Shipping and Seamen on Form S. 23,* and shall forward therewith the respective applications, duly certified, and the testimonials and proofs of service attached thereto. In the case of an examination for an extra certificate, the Form S. 23, together with all the examination papers and forms of questions, whether used or not, must be returned to the principal examiner, but the form of application and testimonials, etc., must be forwarded direct to the Registrar-General of Shipping and Seamen. Report of Examiners.

* For the reports as regards sight tests see pages 177, 185.

MERCHANT SHIPPING ACT, 1894.

Certificates of Skippers and Second Hands.

[Here follows a reprint of Sections 413, 414, and part of Section 104, and a reference to Sections 469, 470, and 471 of the Merchant Shipping Act, 1894, 57 & 58 Vict. c. 60.]

APPENDIX A.

SYLLABUS OF EXAMINATION FOR SECOND HANDS' AND SKIPPERS' CERTIFICATES OF COMPETENCY.

*For Second Hands.**Vision :—*

(See Appendix C.)

Hand Lead Line :—

How to fit and measure.
The marks and deeps.
How to take a cast under certain given conditions.

Deep Sea Lead Line :—

How to fit, measure and mark.
How to take casts under various given conditions.
State approximately the allowances to be made (giving the state of tide) before comparing the depth obtained by lead line with that found on chart.

NOTE.—It appears that the majority of fishing vessels carry one line only, which is a combination of the hand and deep sea lines. Where such is the case it will be sufficient if the applicant can describe correctly the marking, &c., of the line he has been accustomed to use, if it should appear to the examiner to be an efficient one.

Compasses :—

Give the names and the number of points in compass.
The number of degrees in a point.
To take the compass bearings of a given object. (Examiner should fix upon an object.)
Precautions to be observed in regard to iron in the vicinity of compass

Charts :—

How to tell the N., S., E., and W. parts of a chart.
Point out parallels of latitude.
The meridians of longitude.
Graduated meridians.
Graduated parallels.
On what part of the chart should distance be measured ; and reason for same.
Find course from A to B. (The examiner should give two points on the chart.)
Find distance from A to B.
To read the soundings marked on a chart, and to state for what time of tide these are generally given.

Fishing Boats:—Certificates to Officers.

Rules of the Road, &c.:—

NOTE.—The following articles, 1 to 31, refer to the articles in "Regulations for preventing Collisions at Sea." The "Orders in Council" referred to concerning the lights for fishing boats, and alternative for trawlers will also be found on pages 14 to 24 of the regulations. Copies of the regulations can be obtained at any mercantile marine office of the United Kingdom.

Rules concerning lights to be carried	-	-	-	(Art.
Lights for steamships under way	-	-	-	(Art.
Do. steamships towing	-	-	-	(Art.
Do. vessels from accident not under command	-	-	-	(Art.
Do. vessels laying or picking up telegraph cables	-	-	-	(Art.
Do. sailing vessels under way, and any vessel being towed	-	-	-	(Art.
Lights for small vessels under way in bad weather	-	-	-	(Art.
Lights for steam vessels under 40, and vessels under oars or sails of less than 20 tons	-	-	-	(Art.
Lights for pilot vessels engaged on station	-	-	-	(Art.
Do. vessels being overtaken	-	-	-	(Art.
Do. vessels at anchor	-	-	-	(Art.
Do. vessels aground near fairway	-	-	-	(Art.
Showing flare-up lights to attract attention	-	-	-	(Art.
Special rules made by governments for two or more ships of war, convoys, &c.	-	-	-	(Art.
Signal for a steam vessel under sail with funnel up	-	-	-	(Art.
Fog signal for steam ship when under way	-	-	-	(Art. 15 (1)
Do. sailing ship when under way	-	-	-	(Art. 15 (2)
Do. steam ship and sailing ship at anchor	-	-	-	(Art.
Do. vessels towing, laying, or picking up telegraph cables, not under command, &c.	-	-	-	(Art.
Speed of vessel in thick weather	-	-	-	(Art.
(In asking the following questions, the model of a vessel should be used, and the various coloured balls, representing lights, should be placed on different points of the compass, so as to represent vessels at anchor under the various conditions set forth in Articles 17a, b, c, d, e, 18, 19, 24, &c.)				
When one vessel is going free and the other close hauled, which should keep out of the way?	-	-	-	(Art.
Close hauled vessels on different tacks, which should keep out of the way?	-	-	-	(Art.
With free wind on different sides, which should keep out of the way?	-	-	-	(Art.
With free wind on same side, which should keep out of the way?	-	-	-	(Art.
When one of two vessels has the wind aft, which should keep out of the way?	-	-	-	Art. 1
Steam ships meeting end-on or nearly end-on, which should keep out of the way?	-	-	-	(Art.
What is meant by "end-on"?	-	-	-	(Art.
Steamships crossing, which should keep out of the way?	-	-	-	(Art.
Steamships and sailing vessels approaching each other, which should keep out of the way?	-	-	-	(Art.
When one of two ships is required to give way, what must the other do?	-	-	-	(Art.
Vessels should avoid crossing ahead	-	-	-	(Art.
Steamships to slacken speed, stop, and reverse if necessary	-	-	-	(Art.
The overtaking or overtaken vessel, which should give way?	-	-	-	(Art.
In narrow channels, which side of fairway keep?	-	-	-	(Art.
Sailing vessels under way and boats fishing, which give way?	-	-	-	(Art.
Rule in regard to extreme and urgent cases	-	-	-	(Art.
Sound signals for indicating steamer's course	-	-	-	(Art.
Consequence of neglect to use ordinary precautions	-	-	-	(Art.

Operation of special rules for harbours, rivers, &c,	-	(Art. 30)
Distress signals, day and night	-	(Art. 31)
Lights for open boats and fishing vessels under way (under 20 tons)	-	Article 10 of the Order in Council of August 11th, 1884.
Lights for fishing vessels and boats of 20 tons and over under-way	-	
Lights for vessels engaged in drift net fishing	-	
Do. vessels engaged in line fishing	-	
Lights and fog signals for fishing vessels when gear is fast to any obstacle	-	
Lights (flare up) for fishing vessels and open boats	-	
Do. for fishing vessels when at anchor	-	
Sound signals for fishing vessels under way in thick weather	-	
Alternative lights for steam trawlers over 20 tons gross reg.	-	Order in Council, 30th Dec., 1884.
Alternative lights for sailing trawlers over 20 tons net reg.	-	Order in Council, 30th Dec., 1884.
Alternative lights for sailing trawlers of any tonnage	-	Order in Council, 24th June, 1885.
Lights for steam pilot vessels	-	Order in Council, 7th July, 1897.

General Subjects :—

- *Rigging and masting of fishing vessels.
- *Worming, parcelling, serving, splicing, knots and bends.
- *Spars carried away.
Man overboard, what action take?
- Taking in, and setting, fore and aft sail.
- *Tacking and wearing.
- *Caught in a squall.
Management of smack's boat in heavy weather.
- Describe distress signals.
- How to use rocket and mortar apparatus.
- How to shoot a trawl, precautions to be observed.
- *Action to be taken if another vessel should come in the way when trawling; (a) over a weather tide; (b) over a lee tide.
- *How to stay with trawl down.
- *How to wear with trawl down.
- And any other practical question pertaining specially to the duties of the second hand of a fishing vessel which the examiner may think necessary to put to the applicant.

For Skippers.

Vision :—

Same as for second hand.

Lead Line :—

Same as for second hand.

Compasses :—

Same as for second hands, and in addition :—

How to find the deviation by bearings of two objects in a line.

* These questions need not be put to men who are being examined for certificates of competency for Steam Trawlers only.

Fishing Boats:—Certificates to Officers.

Charts :—

Same as for second hands, and in addition :—

How to find position of vessel by cross bearings of two objects.

Also by two bearings of the same object.

Describe local lighthouses, light vessels, beacons, and danger same.

Describe what is meant by a compass course.

Do. do. magnetic course.

Do. do. true course.

General Subjects :—

Same as for second hands, and in addition :—

*Getting under way.

Tending vessel at anchor.

How to keep vessel's head to sea in heavy weather, or if dis-
or all canvas blown away, or, if a steam trawler, with
broken down.

If springing a leak.

Rudder gone, what do, and how rig a temporary one.

Uniform system of buoyage ; describe buoys on starboard, at
hands and middle ground of channels.

Buoys and marking of wrecks.

Trawl fast to rock, &c., how to clear it, or buoy it.

Engines broken down, what action to take in the case of a
trawler?

And any other practical question pertaining specially to the
of the skipper of a fishing vessel, which the examiner may
necessary to put to the applicant.

Civil Duties :—

What is required by the Merchant Shipping Act, 1894, to be d
cases of death, injury, ill-treatment, or punishment inflicted on
or in case of casualty to vessel :—

As to return of list of crew.

As to agreements and apprentices' indentures.

As to accounts of wages or share, and as to certificates of dis

APPENDIX B.

SPECIMEN OF PAPERS TO BE USED IN EXAMINATIONS EXTRA CERTIFICATES.

[SKIPPER AND SECOND HANDS.]

PAPER TO TEST READING AND WRITING.

1. The applicant is requested to read 20 lines of Section 385 of the
Merchant Shipping Act, 1894.

(NOTE.—*The number of the lines and the number of the Section of the Act
to be altered from time to time ; but the portions should always
be chosen from Part IV. of the Act.*)

2. Having read the extract named in No. 1 above, the applicant is to
hereunder the first ten lines from the extract he has read, and
his name at the bottom. Errors in spelling are not to be regarded
as disqualifications leading to failure.

* See note on opposite page.

3. The applicant is to be examined orally as to the use of a floating anchor, and must explain the circumstances under which it appears to him that such a contrivance would be a means of safety to a vessel in a heavy sea. He should also explain how he can make one from materials and articles on board his vessel, and how he would get it overboard when made. [If he can make a sketch, however rough, of his idea, he is invited to do so here. His inability to make a sketch will, however, not in any way lead to his failure in the examination.]

ARITHMETIC.

1.—To express in figures three hundred and seven millions one hundred and seventeen thousand and six.

2.—To set down and add the following quantities together :—62745 ; 28623 ; 91438 ; 78312 ; 40061 ; 21179. Also set down and add together :—18972 ; 37810 ; 38214 ; 92002 ; 12988 ; 99986.

3.—To set down and subtract as follows :—From 76825 take 62732 ; from 79848 take 62157 ; from 43813 take 29872 ; and from 63512 take 45703.

4.—Multiplication :—

Multiply 963 by 6.

Multiply 1785 by 8.

5.—Division :—

Divide 785491 by 7.

[SKIPPERS ONLY.]

[An applicant for an extra certificate of competency as skipper of fishing boats will be required to work out sums and questions, of which the following are specimens, in addition to the foregoing questions.]

1.—To set down and add together the following quantities :—£12 7s. 9d. ; £7 3s. 3d. ; and £29 15s. 9d. Also set down and add together :—3 tons 12 cwt. 3 qrs. 14 lbs. ; 18 tons 2 cwt. 0 qrs. 3 lbs. ; and 5 tons 3 cwt. 0 qrs. 5 lbs.

2.—To set down and subtract the following quantities :—From £78 18s. 4d. take £49 12s. 6d. Also from 24 tons 15 cwt. 2 qrs. 17 lbs. take 19 tons 3 cwt. 3 qrs. 27 lbs.

3.—Multiply the following quantities by 7.

£	s.	d.	Tons.	Cwts.	Qrs.	Lbs.
73	8	5	81	6	2	4

4.—Divide the following quantities by 5.

£	s.	d.	Tons.	Cwts.	Qrs.	Lbs.
102	15	5	86	10	2	4

5.—1898, January 1st. In longitude $6^{\circ} 00'$ E. The observed meridian altitude of the sun's lower limb was $10^{\circ} 15'$, bearing south, index error, 7 inch to subtract, height of eye 12 feet. Required the latitude.

	10 15 00 S. Obs. Alt. Sun's L.L.
	— 7 00 Index Error.
6° E. Long	10 8 00
4	— 3 19 Dip of horizon.
24 ^m Long. in time.	10 4 41
12-80 Hourly diff.	— 5 4 Corr. (Ref. less Par.)
4	9 59 37
5-120 Correction.	+ 16 17 Semidiameter.
22° 59' 02" S. Declin. at Noon.	10 15 54 True Mer. Alt.
+ 5 Correction.	90
22 59 00 Corrected Declin.	79 44 6 N. Mer. Zenith Dist.
	22 59 07 S. Declination.
	56 44 59 N. Latitude.

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Note.—If the applicant is unable to work to such precision as above will be regarded as sufficiently accurate at present if he corrects declination approximately by a table, such as 21 of Norie's, and takes out his correction for dip, refraction, parallax, and semi-diameter once, as in Table 9 of Norie, and in cases where the applicant is unable even to do this, his work will be accepted if he takes the declination from the Almanac for the nearest noon, instance :—

°	'	"
10	15	00 S. Obsd. Alt.
—	7	00 Index Error.
<hr/>		
10	8	00
+	7	30 Corr. from Table 9 (Norie's).
<hr/>		
10	15	30 True Alt.
90	<hr/>	
79	44	30 N. Zenith Dist.
22	59	02 S. Sun's declin. at noon.
<hr/>		
56	45	28 N. Latitude.

Note.—The above are merely given as examples. An applicant may work the problem by any method he chooses, so long as it is not an incorrect one in principle, and so long as he can bring his answer to within say 2' of the precise result.

APPENDIX C.

THE SIGHT TESTS.

1.—Form Vision Test.

(1.) The test for form vision is the first test which the candidate is required to undergo, and until he has passed this test he cannot be allowed to proceed further with the examination. (See paragraph 11, page 176.)

(2.) The tests to be used are Snellen's letter test for candidates who can read, and the "Dot" tests for those who cannot read.

The sets of tests which have been supplied to the examiners consist respectively of eight sheets of Snellen's letters and two sheets of dots.

(3.) The chief object of the tests for form vision is to show whether the candidate possesses eyesight of sufficient strength and range, or in other words they are means of discovering whether the candidate has good or bad sight.

They also afford a means of detecting whether a candidate is suffering from that form of colour blindness which is caused by the excessive use of tobacco, and by illness or similar affections. All candidates who are suffering from colour blindness arising from causes of that nature will be found to be incapable of passing the tests for form vision.

(4.) Candidates may use both eyes or either eye when being tested, but they must not be allowed to use spectacles or glasses of any kind.

The set of tests is to be hung on the wall, in a good light, at a height of about five or six feet from the ground.

Conduct of the letter test.

(5.) If the candidate can read, he should be placed at a distance of 16 feet from the letter test sheets, and exactly opposite them. The distance should be carefully measured, and the candidate should not be allowed to approach within 16 feet of the test sheets.

One of the eight sheets of letters should then be exposed, and the candidate should be asked to read the letters, beginning at the top and going downwards. If he can read correctly three of the five letters in the fifth line from the top (third from the bottom), or four of the letters in either of the two lines below, he may be considered to have passed the test. If he cannot do so, he should be treated as having failed. Candidates should be tested with at least two of the sheets of letters, and the same two sheets should not be used for all candidates.

Meaning of the numbers on the letter test sheets.

(6.) The number printed over each row of letters only shows the distance in feet at which a person possessing ordinary or normal sight should be able to read the letters in the row, and does not apply to the distance at which a candidate under examination should be tested.

Conduct of the dot test.

(7.) If the candidate cannot read, he must be tested with the sheets of dots. For this test he is to be placed at a distance of precisely eight feet from the test sheets, and exactly opposite them. One of the sheets of dots is then to be exposed, and the candidate should be asked to name the number of dots in one or two of the lines or groups. Lines and groups of dots can be formed by holding a piece of white paper over part of the sheet, but care must be taken that when this is being done the candidate's view is not obstructed, or the light on the test sheet in any way obscured.

The examiner must make sure that the candidate understands what he is required to do.

If the candidate answers the questions put to him by the examiner with complete or very nearly complete accuracy, he should be treated as having passed. If he does not answer with very nearly complete accuracy, he should be treated as having failed.

Tests to be varied.

(8.) The examiner must take care, by varying the tests in form vision, and by every other means, to guard against the possibility of any deception on the part of the candidates.

Pellet test.

(9.) Every candidate who fails to pass the form vision test is to be examined with the pellet test as follows :—

The pellets should be placed on a white plate, and the first test pellet (which is of the same colour as the first wool test skein) should then be placed a little distance from the box on another white plate. The candidate should be required to pick out, and lay by the side of the test pellet, all pellets of the same colour. The same should be done with the second and third test pellets, and the examination should proceed in the same way as the wool test.

(10.) Should the candidate pass the pellet test, the Form S. 22 A, together with the remarks of the examiner, is to be forwarded to the principal examiner for his instructions as to whether the candidate is or is not to be regarded as having failed in form vision.

(11.) Should, however, the candidate fail in the pellet test, thus indicating that the defective form sense is due to disease, &c., it will not be necessary to submit the case to London, but the examiner should report the candidate as having failed in form vision, and in forwarding the usual papers a description of the colours of the pellets incorrectly selected as matches in the respective tests, with any remarks, should be given on the Form S. 22 B, in the space allotted for the incorrect wools.

Result of tests to be reported.

(12.) The result of every test in form vision is to be reported to the Registrar General of Seamen, on the Form S. 23, when the candidate is up for examination for a certificate, and to the Registrar-General of Seamen

Fishing Boats :—Certificates to Officers.

on the Form S. 20 A, when the candidate is up for examination in a only.

All cases of failure to pass the test are also to be reported to the Principal Examiner of Masters and Mates on Form S. 22 A.

2.—Colour Vision Test.

(1.) The colour vision of candidates is to be tested by means of Holmgren's wools.

The wools are always to be kept in the tins provided for the purpose except when in use at an examination, in order that they may not be faded or dirty. Each set contains about 135 skeins of wool.

(2.) Before the examination commences the skeins should be separated from one another, but each separate skein should be kept tied up as first received.

The three test skeins are labelled separately I. (light green), IIa (or light purple), and IIb (red), and they are always to be used in the mentioned.

Care must be taken that the labels do not get detached.

The colour vision test should be held only by daylight. If a natural light is not obtainable and artificial light has to be used, the test must be postponed. When the weather is dark or foggy, and a candidate cannot be examined in colours before his examination in navigation commences, he may be allowed to proceed with the examination in navigation provided he is examined in colours on the first available opportunity.*

Full instructions as to the conduct of the examination will be found on pages 179 to 185.

(3.) The examiner, as the examination proceeds, should carefully on one side the skeins, the selection of which by the candidate seen indicate a defect in colour vision, taking care to discriminate between those selected as matching the first test skein, those selected as matching the second test skein, and those selected as matching the third test skein.

The skeins, which have been correctly selected, should be returned to the general heap on the completion of each of the three tests.

(4.) In every case in which the examiner rejects a candidate, or doubts as to whether he should reject him or not, he is, when the examination is finished, to cut a small piece (say, an inch) off *every one of the skeins incorrectly selected by the candidate*, and to stitch the pieces cut off to Form S. 22 B, keeping the pieces cut off the skeins selected as matches to the first test skein in one line, the pieces cut off the skeins selected as matches to the second test skein in another line, and the pieces cut off the skeins selected as matches to the third test skein in a third line on the Form. The Form (Form S. 22 B) with the pieces of wool attached to it is then to be forwarded to the Principal Examiner of Masters and Mates, with the examiner's report, on Form S. 22 A.

The greatest care must be taken that the pieces forwarded are cut off the actual skeins selected by the candidate, in order that there may be a reliable record of the actual selections made by the candidate if any question should subsequently arise.

Pieces need not be cut off the test skeins, but only off the skeins incorrectly selected by the candidate.

(5.) In cases in which the candidate passes the test, pieces need not be cut off the skeins he has selected.

* When the examination in navigation precedes the colour tests, the candidates should be informed that the examination in navigation will count for nothing if they should fail to pass the colour tests.

Candidates should be given the opportunity of correcting their mistakes.

(6.) When the candidate makes incorrect matches, the examiner should, after each of the three tests, hold up the skeins selected, and ask the candidate if he is satisfied that they all match the test skein. If he is not satisfied, he may be allowed to withdraw any of the skeins he pleases.

Candidates are not required to name the colours of the wools.

(7.) During the test for colour blindness the examiner should avoid naming the colours of any of the wools, and should explain to the candidate that he does not require them to be named to him.

In the test for colour ignorance the candidate has to name three colours. (See page 177.)

Course to be taken when the skeins of wool become reduced in size or discoloured.

(8.) As soon as any skein becomes discoloured, or unduly reduced in size (say by one-third), owing to pieces having been cut off it, the matter should be reported to the Board of Trade.

Examiners are not required to decide from what form of colour blindness an unsuccessful candidate is suffering.

(9.) In the remarks which follow reference is made to different kinds of colour blindness (red blindness and green blindness), but the examiner is not required to form any conclusion as to the kind of colour blindness from which the candidate suffers, and should not offer the candidate any opinion on this point.

All that is required is that the examiner shall conduct the examination according to the rules laid down, and from the wools selected judge whether the candidate is or is not colour blind, the nature of his colour blindness being immaterial.

Result of tests to be reported.

(10.) The result of every test should be reported to the Registrar-General of Seamen on the Form S 23, when the candidate is up for examination for a certificate of competency, and to the Registrar-General of Seamen on the Form S. 20A, when the candidate is up for examination in colours only.

All cases of failure should also be reported to the Principal Examiner of Masters and Mates on Form S 22A, to which should be attached Form S 22B, containing the pieces of the wools incorrectly selected by the candidate. (See paragraph 4, page 177.)

HOLMGREN'S METHOD OF TESTING FOR COLOUR.

The method of testing consists in asking the candidate to select from variously coloured objects those which appear of the same colour as one which the examiner selects. The most suitable objects and at the same time the most readily obtainable are skeins of wool, which can be procured of almost every desired hue and tone. An advantage of skeins of wool, besides their portability, is that, owing to their want of gloss, they appear of approximately the same tone from whichever side they are viewed. The colours of the skeins to be selected includes reds, oranges, yellows, yellowish-greens, pure greens, blue greens, blues, violets, purples, pinks, browns, and greys. Several shades of each colour, with at least five graduations of each tint, are provided, from the deepest to the lightest greens and greys. Varieties of pinks, blues, and violets, and of light grey, together with shades of brown, yellow, red, and pink, are well represented. The test skeins with which the examinees are to compare the other skeins are three in number:—(1) a light green; (2) a pink or pale purple; and (3) a bright red. These three colours will suffice to indicate approximately the amount and kind of colour blindness which may exist. The light green skein, which is a tolerably pure green mixed with a large proportion of white, is chosen as the colour which closely matches the spectrum colour which the red and green blind distinguish as white or grey. It is chosen of a pale tint, as it then becomes puzzling to the colour blind to distinguish its colour by luminosity. A light grey or drab skein will represent the same brightness to him that this pale colour does, and although he may be trained to distinguish bright colours by their relative luminosities, in the case of these pale colours he will be unable to do so. The pink or light purple is chosen for similar reasons, and in fact it is nearly a complementary colour

normal eye, but fairly intermediate between the two, or at least not verging upon yellowish green.

Rule.—The examination must continue until the examinee has placed near the test skein several other skeins of the same colour, or else, with these or separately, one or more skeins of the class of "confusion colours" such as 1 to 5 in the Plate, or until he has sufficiently proved that he can easily and unerringly distinguish the confusion colours, or else has given unmistakable proof of a difficulty in accomplishing it.

Diagnosis.—An examinee who places with the test skein "confusion colours" such as 1 to 5—that is to say, finds that they resemble the "test colour"—is *colour blind*, whilst if he evinces a manifest disposition to do so, though he does not absolutely do so, he has a *feeble chromatic sense* or sense of colour.

Remark.—We might have taken more than five colours for "confusion"; but we must remember that we are not taking into consideration *every* kind of defective colour sense.

TEST II.—The pink or light purple skein, which is labelled No. IIa, is shown to the examinee. The colour is midway between the lightest and darkest. It only approaches that given as IIa of the Plate, as the colour of the wool is much more brilliant and saturated, and bluer.

Rule.—The trial must be continued until the examinee has placed all or the greater part of the skeins of the same colour near the test skein, or else together or separately, several skeins of the "confusion colours," such as 6-9. If he is colour blind he will probably select either the light or deep shades of blue and violet, especially the deep (6 and 7), or the light or deep shades of one kind of green or grey inclining to blue (8 and 9).

TEST III.—The red skein labelled No. IIb is presented to the examinee. It is necessary to have a vivid red colour, like the red flag used as signals on railways. The colour should be that of IIb of the Plate, rather towards yellowish red.

Rule.—This test should be continued until the person examined has placed beside the test skein the greater part of the skeins belonging to this hue, or else several "confusion colours" (10-13).

Remark.—Every case of comparatively complete colour blindness does not always give precisely the same mistakes. Instances occur of persons who are not completely colour blind, or of completely colour blind persons who have been practised in the colours of signals, and who endeavour not to be discovered. They usually confound at least green and brown, but even this does not always happen.

Mono-chromatic Vision.—The absence of every colour sensation except one will be recognised by the confusion of all the hues, which will appear to be of the same intensity of light or brightness.

Dr. Joy Jeffries, in his book on colour blindness, gives a translation of Holmgren's special directions for conducting the examinations. The examinations to which Holmgren refers were for employes on the Swedish railways, but the remarks which follow are applicable to examinations for officers and seamen in the mercantile marine and sea fishing service.

Special Directions for Conducting the Test.

The method plays an important part in an examination of this kind, not only from the principles upon which it rests, but also from the manner in which it is used. The best plan for directing how to proceed is by oral instructions and *de visu*, but here we are obliged to accomplish this by description. Now, this is always defective in some respects, especially if we wish to be brief. What has been said would evidently suffice for an

intelligent and experienced physician ; but it may not be s enter still further into detail to provide against any possible loss of time. The object of the examination is to discover the person's chromatic sense or sense of colour. Now, as the candidate and that of others depend upon the correctness of pronounced by the examiner, and as this judgment should be b manner in which the candidate stands the trial, it is of import trial should be truly what it ought to be, a trial of the natur matic sense and nothing else ; an end that will be gained if are strictly followed. It is not only necessary that the exa carefully observe them—which does not seem to us difficult also should take care that the individual examined does thoro required of him. This is not always as easy as one might s were only required to examine people familiar with practical o especially with colours, and with no other interest connected of the examination than to know whether they are colour blii examination would be uniform and mechanical ; but it is examine people of various degrees of culture, all of whom, be personal interest in the issue of the examination. Different pe differently during the examination for many reasons. Some without the least suspicion of their defect ; others are convinc possess a normal sense. A few only have a consciousness or a suspicion of their defect. These last can often be recognised b nation. They will keep behind the others, and attentively progress of the trial, and, if allowed, will willingly remain. Some are quick, others slow. The former approach uncon boldly, the latter with over anxiety and a certain dread. Some perhaps, already tested, and have practised in preparation fo others have never been familiar with colours. Among those al some may be colour blind. Some of these latter are uncertain colour vision, and act with great care, whilst others, again, practised in distinguishing signals, conclude that their colour s fect. They make the trial quickly and without thought, of cou making the mistakes characteristic of their special form of colo

The majority, however, desire to perform their task as well that is, to do what the normal eye does. This, of course, assis them, provided it does not lead to too great care, as then th more difficult, the trouble being that much time is wasted.

Only a very small part have a contrary desire, namely, to pa blind though normal eyed. We will speak of these later, an concern ourselves with those who stand the test in good fa desire to appear normal, though perhaps they are colour blind.

The trial generally goes on rapidly and regularly. We will o those hindrances and peculiarities which most frequently examiner must watch that no mistake is made from not un The names of the colours need never be used, except to asce name hides the subjective colour sensation, or to find the relat the name the colour blind employs and his colour perception.

The person examined who thinks more of names than the (this being generally a sign of school learning) selects not only the same hues—that is, those of the same colour to his eye—b generally have the name of this colour ; for instance, in the not only the green like the sample, but all that are green ; a second test, not only the purple (and what are generally called which look reddish, scarlet, cinnabar, or sealing-wax red. T importance, for those who only do this have scarcely suc chromatic sense as that with which we are concerned.

Under any circumstances it is better to correct the mistak tioned, when arising from misunderstanding, and it is even i reference to the mistakes we explained might occur with the fi might be said that it was sufficient if the examined confound

colour with green only ; that it was indifferent whether he distinguishes carefully between the various kinds of green. But, in fact, this is not so unimportant. We must give full weight as to whether the confusion arises from misunderstanding or lack of practice with colours, or, finally, from a true chromatic defect. To include all that is green would render the test tedious and unpractical. In fact, no little judgment has been exercised in the selection of the very lightest shade of the green proposed as a test colour, for it is exactly what the colour blind most readily confounds with the colours (1—5) of the plate. If the examinee were allowed to depart from the narrow limits every shade of green could be included, the result of which would be that he would prefer to select all the vivid shades, and thus avoid the dangerous ground where his defect would certainly be discovered. This is why it is necessary to oblige him to keep within certain limits, confining him to pure green specimens, and, for greater security, to recommend him to select especially the lightest shades ; for, if he keeps to the darker shades, as many try to do, he readily passes to other tones, and loses himself on foreign ground, to the great loss of time and of the certainty of the test. What we have just said of green, applies also, of course, to purple. (Test IIA.)

The principle of our method is to force the examinee to reveal, by an act of his own, the nature of his chromatic sense.

Now, as this act must be kept within certain limits, it is evident that the examiner must direct him to some extent. This may present, in certain cases, some difficulty, as he will not always be guided, and does either too much or too little. In both cases the examiner should use his influence in order to save time and gain certainty, and this is usually very easily done. This intervention is, of course, intended to put the examinee in the true path, and is accomplished in many ways, according to the case in point.

We will here mention some of the expedients we have found useful :—

(A.) *Interfering when the Candidate selects too many Colours.*

It is not always easy to confine the candidate within the proper limits. In the first test he easily slips a yellow-green or blue-green skein among the others, and, as soon as there is *one*, others usually follow ; and it thus happens that in a few moments he has a whole handful of yellow-green, a second of blue-green, a third of both these shades at the same time. Our procedure has assisted us in more than one case of this kind.

(a) When the person examined has begun to select shades of one or several other colours than those of the sample, his ardour is arrested by taking from him the handful of skeins he has collected and asking him whether his eye does not tell him there are some which do not match the others, in which case he is told he may restore them to the pile. He then generally proceeds in one of the following manners :—

1. He rejects, one after the other, the incorrect skeins, so that only the correct remain, which is often only the sample skein. He is shown what mistake he has made, and he is told only to select skeins of the same hue as the specimen, although they may be lighter or darker. If his first error arose only from a misconception or want of practice in handling colours, he begins generally to understand what he has to do, and to do properly what is required of him.

2. Or else he selects and rejects immediately the test skein himself. This proves that he sees the difference of colour. He is then shown the test skein as the only correct one, and is asked to repeat the trial in a more correct manner. He is again put on the right track as just before, and the trial proceeds rightly, unless the error arose from a defect in colour sense. Many seem, however, to experience a natural difficulty in distinguishing between yellow-green and blue-green, or the dull shades of green and blue. This difficulty is, however, more apparent than real, and is corrected usually by direct comparison. If the method requiring the name of the colour to

be given is used, a number of mistakes may be the result. light green and light blue alone are presented to him, and he names them, he will often call blue green, and green blue. In the first case, a blue skein is immediately shown him, he corrects by saying "this is blue," and "that green." In the last case it happens *mutatis mutandis*. This is not the place for an example must suffice to say that the error is corrected by a direct comparison of the two colours.

(b) *Another Process*.—If the candidate places by the side of a shade, for instance, of yellow-green, the examiner places near it a shade, in which there is more yellow, or even a pure yellow, at the same time that if the first suit the last must also. The candidate usually dissents from this. He is then shown, by selecting and comparing intermediate shades, that there is a gradation, which will diverge logically carried out as he has begun. The same course is followed for the blue shades, if the blue-green were first selected. The successive gradations, and goes through with this test per se, the normal chromatic sense is correct.

To ascertain further whether he notices the tints of yellow and green, we can ourselves take the yellow-green and blue-green, and show him if he sees any difference in colour between them. We can answer of his sense with regard to these shades, and the object of the investigation is accomplished.

It results from all this that many who are finally considered to have a normal chromatic sense may occasionally cause embarrassment. The normal observer of this kind causes greater loss of time than the blind. It is astonishing to see with what rapidity the colour-blind man perceives their defect. At least it is found, in the majority of the cases, that the first skein of wool selected from the pile by the candidate for the first test was one of the "colours of confusion."

(B.) *Interfering when the Candidate selects too few Wool*

Those who evince too great slowness also require the interference of the examiner in another manner. We can lay aside here those cases in which the sight of the complex colours of the heap of wool, the candidate finds it difficult to select a skein resembling the sample in a collection of particular colours seem to differ from each other, and in which the candidate declares immediately that he can find none resembling the specimen, and is then told that an absolute resemblance is not demanded, and that he asks impossibilities; that time is limited, many are waiting, &c. There are people who—from natural slowness, from being unaccustomed to business, from fear of making mistakes, especially if they have previously examined and been suspected of colour blindness, or from other motives—proceed with the greatest caution. They do not touch the wool; or they search, select, and replace with the same care all the possible skeins without finding one corresponding with that which they wish to place beside it. Here, then, are two cases: one of too much action with the fingers, without result; on the other of too much inaction. The examiner is forced to interfere in both cases.

(a) In the case of too much manual action, without a practical result, the examiner must be careful that the eye of the candidate act simultaneously for the accomplishment of the desired end.

Some people forget that the hands should be subservient to the eye, and not act independently. Thus they are often seen to fix their eyes on one side while their hands are engaged on the other. This is corrected, so as to save time and avoid further labour. The candidate is told to cross his hands behind his back, to step back a pace, to consider all the skeins, and, as soon as his eye has met one of

which he is looking, to extend his hand and take it. The best plan is to advise him to look first at the sample, and then at the pile, and to repeat this manœuvre until his eyes find what he is looking for.

This plan generally succeeds when nervousness from over anxiety causes his hands to tremble ; but it is not always easy to induce him to keep his hands behind his back until the moment for taking the skein in question.

(b) In cases of great caution, the trial is hastened if the examiner come to the assistance of the candidate, by holding above the pile one skein after the other, and requesting him to say whether it resembles the colour of the sample or not.

In cases where any one suspected of colour blindness has remained some time to see the trial of others, and where, as often happens, he has remarked the akeins belonging to a required shade, he may of course profit by it in his own trial. But this can be prevented by shuffling the skeins.

It may be regarded as an advantage of this method that it has at command a great variety of resources. We have by no means mentioned all ; and yet many who have only read this description will probably reproach us with having devoted ourselves too much to details which seem to them puerile. But we believe that those who have examined the colour sense of a great number of persons, and acquired thereby considerable experience, will think differently.

We are convinced that time is saved by the means we have described and a more certain result obtained ; whilst a practised surgeon, who has become to a certain degree a *virtuoso*, will accomplish his object quicker and surer by such means than one who neglects them. Recent experience fully confirms this. All those who have familiarised themselves with this method, and have had experience with colour blindness, and of whose competence there can be no doubt, report, without exception, that it is to be fully depended on—the most practical and the best.

An advantage of the method was shown to be that those who were to be examined could be present and see each individual tested without this interfering in the least with the certainty of the result. The individual test is even hastened thereby. The colour blind, and even the normal-eyed who are not familiar with colours, are generally rather shy about being tested, in whatever way it is done. As the method, however, is carried out, they have more confidence. The majority are even amused. The old adage holds true here, that it is easier to find fault than to do it yourself. The surgeon, who watches not only the examined, but also those around, can often see from their faces how closely the latter observe the person being tested, when he takes out the wrong colours, as also when he neglects the right ones under his eye. This gives those looking on confidence and assurance, till their turn comes, when they appear as uncertain as before they were confident. There is something attractive in the process, stimulating the interest, and not without benefit.

From this we see that our judgment of a person's colour sense is made, not only by the material result of the examination—the character of the wools selected—but often also by the way the examined acts during the test. We should mention a very common manner of persons on trial, which, in many cases, is of great value in diagnosis. Often, in searching for the right colour, they suddenly seize a skein to lay it with the sample, but then notice it does not correspond, and put it back in the heap. This is very characteristic ; and if an examiner has often seen it, he can readily recognise and be assured that it is an expression of difficulty in distinguishing the difference in the colours. We frequently see this in the first test, with shades of greenish-blue and bluish-green. Here it means nothing important ; but it is quite the reverse, however, when it concerns the grey or one of the confusion colours (1—5). Uncertainty and hesitation as to these colours, which the colour blind do not distinguish from the test colour, even when directly comparing them, is positive proof of mistake, implying defective chromatic vision of the complete colour blind type. No doubt the

Fishing Boats :—Certificates to Officers.

form of chromatic defect which we have called *incomplete* colour blindness exists in several kinds and degrees. This is not the place to further our experience on this point ; and, for the practical purpose we have in view it is not necessary. As we have explained, there are, among this class of colour blindness gradually approaching normal colour sense. It is distinguished has been described. We designated them as *feeble colour sense*.

It is, perhaps, not easy to detect these special forms by any means other than by our own ; we therefore give the following as a means of doing so. The only way of getting at it is by determining at what distance a candidate can distinguish a small coloured surface. We have in fact, with a feeble colour sense, which does not *prevent* the colour being distinguished, but only renders it difficult. We may suppose, for comparison to the normal that the *feeble* colour sense is due either to a response to the stimulation of the colour-perceptive organs of the eye or else to stimulation of a relatively smaller number of these organs. In either case this method would give us the same result, judging from experience in testing the eccentric portions of the field of vision with a perimeter.

The method we here speak of shows us also the effect of habit and practice on the colour perception, and it is worth while to dwell on this point. It not unfrequently happens that persons who by test No. I. have been "incompletely colour blind," after they know of their mistake and practise themselves in distinguishing colours, will so comport themselves at a second trial that we have to simply mark them as of "feeble colour sense." The same will sometimes happen with test No. II., and it is easily seen by what we have said, namely, that between the complete lack of one colour sense and the incomplete there is a series of gradations, and in such cases practice would affect the result of examinations.

All the examples given prove that many seeming trifles and plans of value in making the examination—amongst others the keeping the candidate a little way off from the heap of worsteds, as also the removal of every object which can cause the examined doubt and uncertainty. We must not, therefore, let them do what many want to do, namely, hold a number of worsteds in the hand at once. We must make the person being examined place each skein, as he takes it up, either with the sample or else beside the heap. Many who are not clear whether the skein is like the sample or not, instinctively put the shades most resembling the test sample a little to the side of the heap towards it, and thus gradually form a little bridge which for correctness they will not vouch for. No such half measures, however, be allowed.

3. COLOUR IGNORANCE TEST.

(1.) The object of this test is simply to ascertain whether the candidate knows the names of the three colours—red, green, and white—which are important for every seaman to be acquainted with, and the test is confined to naming those colours.

(2.) One or two of the purest red and green skeins should be selected from the set of wools, and the candidate should be required to name the colours. He should also be required to name the colour of any object, such as a piece of white paper.

(3.) If he answers correctly he should be considered to have passed the test. If he makes any mistake he should be tried with the lantern which was formerly used for colour tests, the plain glass and the standard red and green glasses being employed for the purpose. If he does not name the colours correctly he should be reported as having failed to pass the test.

(4.) The result of every test should be reported to the Registrar-General of Seamen on the Form S 23, when the candidate is up for examination for a certificate of competency, and to the Registrar-General of Seamen on Form S. 20A, when the candidate is up for examination in colours only.

All cases of failure should be reported to the Principal Examiner Master and Mates on Form S. 22A.

(iv.) Engagement of Seamen.

ORDER OF THE BOARD OF TRADE, DATED NOVEMBER 2, 1899,
EXEMPTING CERTAIN CLASSES OF SEA FISHING BOATS
FROM SECTIONS 399 TO 408 OF THE MERCHANT SHIPPING
ACT, 1894. (57 AND 58 VICT., C. 60.)

1899. No. 805.

The Board of Trade, by virtue of the power conferred upon them by Section 369 (2) of the Merchant Shipping Act, 1894,* do order that as from the 1st day of January, 1900, sea fishing boats registered at any port in the United Kingdom of either of the following classes, that is to say—(1) Sailing-tractlers under 50 tons registered tonnage; (2) paddle-steamers employed as tractlers, shall be exempt, and they are hereby exempted, from such portion of Part IV. of the said Act as is contained in Sections 399 to 408, both inclusive, relating to the engagement of seamen.

Signed by order of the Board of Trade, this 2nd day of
November, 1899.

(L.S.)

Courtenay Boyle,
Secretary to the said Board.

**(v.) Apprenticeship Indentures and Agreements
with Boys.**

ORDER IN COUNCIL UNDER THE MERCHANT SHIPPING ACT,
1894,* PRESCRIBING FORMS OF INDENTURE OF APPRENTICE-
SHIP TO THE SEA-FISHING SERVICE, AND OF AGREEMENTS
WITH BOYS WITH RESPECT TO THAT SERVICE.

1894. No. 577.

At the Court at Windsor, the 12th day of December, 1894.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by Section 393 of the Merchant Shipping Act, 1894,* it is (among other things) enacted that a boy under the age of sixteen years shall not be taken to sea for the purpose of serving in any capacity connected with the sea-fishing service, for a longer period than one day, unless he is bound

* 57 & 58 Vict. c. 60.

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by an indenture of apprenticeship or agreement made formity with Part IV. of the said Act :

And whereas by Section 395 of the same Act it is (and other things) enacted that indentures of apprenticeship sea-fishing service and agreements with boys under the sixteen years with respect to that service, shall be in form and contain such covenants, provisions, stipulations, indorsements, and certificates as are prescribed by Order of Council made on the recommendation of the Board of Trade, and any directions given in the form so prescribed shall be complied with :

And whereas the Board of Trade have recommended that the said indentures of apprenticeship and agreements shall be in forms set forth in the schedule hereto, it is expedient to prescribe the same accordingly :

And whereas the operation of this Order immediately after the commencement of the Merchant Shipping Act, 1854, is urgent :

Now, therefore, Her Majesty, in exercise of the power vested in Her by the said recited Act, on the recommendation of the Board of Trade, and by and with the advice of the Privy Council, doth hereby order and prescribe that after the first day of January, 1895, the indentures of apprenticeship to the sea-fishing service and agreements with boys under the age of sixteen years, with respect to that service, shall be in the respective forms set forth in the schedule hereto, and shall contain the covenants, provisions, stipulations, indorsements, and certificates therein respectively mentioned.

C. L. F.

* 57 & 58 Vict. c. 60.

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(except as next herein-after provided) be paid by the master to the superintendent, to be forthwith paid by him into the Seamen's Savings Bank to the account of the apprentice. Provided that when the apprentice ashore the master shall pay into his own hands the daily or weekly sum specified on the back hereof under the letter "B," and if such daily or weekly sum is more than the spending money hereby agreed to be paid, master shall be entitled to receive the difference from the superintendent at such times as he may think proper out of the fund standing in the name of the apprentice in the Seamen's Savings Bank. Provided that if the superintendent shall be of opinion that on account of misconduct, or state of the fund or for other sufficient reasons the apprentice ought not to receive into his own hands any sums whatsoever, or that the sum ought to be reduced, and shall in writing so inform the master, the payments to the apprentice, or such part thereof as the superintendent shall specify shall thereupon be discontinued for such time as the superintendent may determine, and the spending money or the balance (if any) remaining after payment of the reduced amount to the apprentice shall be paid by the master to the superintendent to be placed to the credit of the account aforesaid. Subject to all necessary withdrawals by the superintendent from the said account in the Seamen's Savings Bank for the purposes herein-before mentioned, and for the payment of any sum in the nature of a fine imposed upon the apprentice by a court of competent jurisdiction, and for other special purposes which the superintendent shall in his discretion think proper to allow, the amount standing to the credit of the said account after provision for all payments and deductions then proper to be made, shall be paid over to or to the credit of the apprentice.

(7.) The apprentice shall not be required to serve in any fishing boat in which the master is not during the continuance of such service himself serving as skipper, second hand, or seaman, or in which the master if not serving does not during the continuance of the apprentice's service in such fishing boat possess an interest therein of at least eight sixty-fourth share. Provided that if in the opinion of the superintendent it is desirable, and the apprentice consents, it shall be lawful for such apprentice to serve in some other fishing boat approved by the superintendent for a period not exceeding two months.

(8.) The master will attend with the apprentice before the superintendent within twenty-eight days after the expiration of the probationary period herein-before referred to, or if they or either of them are or is at sea during that time then immediately on return to port. And if the indenture is not then cancelled as herein-after provided, the master shall also attend with the apprentice once at least in every half year during the continuance of this indenture before the superintendent with a view to the investigation by him of questions affecting the remuneration or earnings and service of the apprentice, and will give a full, true, and faithful account and report of such remuneration or earnings, and of the character, conduct and efficiency of the apprentice. And in the event of any change of abode or of any gross misconduct on the part of the apprentice, or of any serious accident happening to him, the master will forthwith as soon as practical give notice thereof to the superintendent.

(9.) The master will allow the apprentice a reasonable holiday in each year during the continuance of the said term of apprenticeship to the satisfaction of the superintendent, for the purpose of visiting his relatives or friends, unless in the opinion of the superintendent the apprentice is not entitled to such holiday in any year by reason of misconduct.

(10.) If during the probationary period herein-before referred to upon the first attendance of the master and apprentice before the superintendent at the expiration thereof in pursuance of the covenant herein-before contained, the superintendent is of opinion in all the circumstances of the case that it will not be desirable in the interest of the apprentice to allow this indenture to remain in force ; or

If at any time during the continuance of the said term of apprenticeship the superintendent is of opinion that the master is or will be una-

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B.

Daily or Weekly sums to be paid by the Master into the hands of the Apprentice subject to the provisions of Clause 6.

C.

I hereby certify, pursuant to Section 395 of the Merchant Ship Act, 1894, that—

- (a) this indenture complies with all the requirements of Part I of the Merchant Shipping Act, 1894 ;
- (b) the master with whom the indenture is made is a fit person for the purpose ;
- (c) the apprentice is not under the age of thirteen years and is of sufficient health and strength ;

* (d) { the nearest relations of the apprentice or his guardians as to this apprenticeship and to the stipulations in the indenture ;
no nearest relations or guardians of the apprentice can be found } and in their absence I have acted as guardian on the occasion.

Dated this day of 18 Superintendent

D.

The apprentice having this day been brought before me, I hereby certify that upon full inquiry I see no sufficient grounds for interfering with the indenture.

Dated this day of 18 Superintendent

E.

I certify that in my opinion in all the circumstances of the case it is not desirable in the interests of the apprentice to allow the written indenture to remain in force, and I hereby cancel and determine the same accordingly from the day of 18 the terms and conditions and subject to the payments following, viz

Dated this day of 18 Superintendent

I certify that in my opinion the master is or will be unable to provide the apprentice with such service as is reasonable and permitted under the within written indenture. And I hereby determine the same accordingly from the day of 18 (upon the terms and conditions and subject to the payments following, viz. :)

Dated this day of 18 Superintendent

Fishing Boats :—Apprenticeship.

And it is hereby further agreed that*—

And it is hereby further agreed that the boy or the mast any time during the continuance of this agreement, give to days' notice to determine this agreeme agreement shall be determined upon the expiration of the r the boy shall be entitled to wages, remuneration, and other su up to and including the date of the expiration of such notice, on the day of such expiration : Provided always, that such determination shall not be capable of expiring whilst the boy or at a place other than the port to which the boat on which serving belongs, or at which he was engaged.

And it is hereby further agreed that if, during the continual agreement, either of the parties hereto shall apply to the super to cancel the same, the superintendent may, if after investi shall see sufficient grounds for so doing, cancel and determine and the agreement shall thereupon be cancelled and determi the date and subject to the terms or conditions (if any) whic indorsed thereon by the superintendent. And any sum adjud due to the boy shall be recoverable by him or on his behalf provided that the master shall be at liberty to set off or deduct : any sum adjudged to be due to him.

In witness whereof the said parties have hereunto set their the day and in the year above written.

This agreement is made before me
in accordance with the Mer-
chant Shipping Act, 1894.

Superintendent of the Mercantile Marine

At the Port of

NOTE.—This agreement must be executed in *triplicate* ; one cop retained and recorded by the superintendent above referre retained by the master, and the other retained by the boy.

MERCHANT SHIPPING ACT, 1894.

INDORSEMENTS referred to in the BODY of this AGREEMENT and in

A.—Particulars of wages, remuneration, and sums arising froi or salvage services.

B.—I hereby certify pursuant to Section 395 of the Merchant Act, 1894, that—

(a) this agreement complies with all the requirements of Pa the Merchant Shipping Act, 1894 ;

(b) the master with whom the agreement is made is a fit perso purpose ;

(c) the boy is not under the age of thirteen years, and is of health and strength ;

{ the nearest relations of the boy, or his guardians, asse stipulations of the agreement ;

*(d) { no nearest relations or guardians of the boy { can readily are known and in their absence I have acted as guardian for the oc

Dated this

day of

18

Superint

Fishing Boats :—Maintenance of Order.

Majesty may from time to time prescribe by Order i shall be duly observed, and also that, in the eve contravention of the said section on the part of a sea-fishing boat, or of any person belonging to the master or person for the time being in charge of shall be liable on summary conviction to a fine not exceeding in the case of the first offence, 10*l.*, and in the case of or any subsequent offence, 20*l.* :

And whereas it has been made to appear to Her Majesty that it is expedient to make regulations for the maintenance of good order among sea-fishing boats, and the persons belonging thereto, and to impose fines, not exceeding in the case of the breach of such regulations, and to make regulations to be duly observed when a foreign sea-fishing boat enters the exclusive limits as aforesaid.

Now, therefore, Her Majesty, in exercise of the powers so vested in Her by the said recited Act, by and with the advice of Her Privy Council, is pleased to make the regulations which are set forth in the schedule annexed hereto, and she doth hereby direct that the same shall come into and be in force on and after the first day of July 1889.

C. 1

SCHEDULE.

Regulations.

1. No person on board of or belonging to any British sea-fishing boat shall discharge or present any fire-arm, or discharge or throw any ballast, coal, bottle, missile, or thing at any other sea-fishing boat or at any person or persons on board of or belonging to any sea-fishing boat or boats, or shall use any threatening, abusive or obscene language, or attack, intimidate, or molest any other person or persons on board of or belonging to any sea-fishing boat or boats, or do any act likely to be a breach of the peace between himself and any other person on board of or belonging to any sea-fishing boat or boats, or between any person on board of or belonging to any sea-fishing boat or boats, or incite any person or persons to do any of the aforesaid things.

2. The master or person for the time being in charge of any sea-fishing boat shall use every endeavour and take all reasonable measures to secure that the persons on board of or belonging to his boat do not commit any offence against the regulation numbered 1 and to prevent them from committing any offence thereof.

3. Every person committing or guilty of any breach of the regulations shall forfeit and pay for each and every breach thereof a fine of 10*l.*

4. The court or tribunal before which any person may be brought in respect of any such breach as in the 3rd regulation mentioned may mitigate the fine of 10*l.* by such sum as shall be an adequate penalty for the offence committed.

5. Whenever a foreign sea-fishing boat enters the exclusive fishery limits of the British Islands, no person on board of or belonging to any such boat shall discharge or present any fire-arm, or discharge or throw any ballast, coal, bottle, missile, or thing at any other vessel or vessels, boat

Life-Saving Appliances:—Classification of British

7. The renewal of a licence, and the licence when renewed subject to the regulations herein contained with respect to granting thereof and the original licence respectively. A renewal shall be made at or within such time as the Board direct from time to time direct.

8. Subject to the provisions contained in these regulations of Trade may make such regulations or give such direction to the form of licences and their renewals or otherwise for the carrying these regulations into effect (with power to alter regulations or directions from time to time) as they in their discretion think fit.

9. In these regulations:—

The expression "owner" shall include managing owner or shipowner; the expression "master" shall include skipper or other person in charge of the vessel; the expression "mate" shall include second hand.

The expression "sea fishing boat" shall include every vessel of whatever size, and in whatever way propelled, which is used by a person in sea fishing or in carrying on the business of sea fishing.

The expression "vessel" shall include ship, boat, lighter, or other kind, whether navigated by steam or otherwise.

5. Prevention of Accidents.

- | | |
|---|--|
| (i) <i>Marks and Equipments,</i>
p. 201. | (iii) <i>Regulations</i>
<i>venting Col</i> |
| (ii) <i>Unseaworthiness, p. 230.</i> | <i>Sea, p. 245.</i> |

(i) Marks and Equipments. .

A. Life-Saving Appliances.

RULES, DATED MARCH 9, 1894, MADE BY THE BOARD OF TRADE UNDER THE MERCHANT SHIPPING (LIFE-SAVING APPLIANCES) ACT, 1888.*

1894. No. 303.

At the Council Chamber, Whitehall, this 9th day of March, 1894.

PRESENT:

The Right Honourable A. J. MUNDELLA, M.P.,

In pursuance of the provisions of the Merchant Shipping (Life-saving Appliances) Act, 1888,* the Board of Trade hereby make the annexed rules relating to life-saving appliances, in substitution of any rules heretofore made under said Act, and do hereby direct that these rules shall have effect on the 1st day of June, 1894.

A. J. MUNDELLA

* 51 & 52 Vict. c. 24 now repealed and consolidated with other Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

Life-Saving Appliances :—Emigrant Steam

Class 6.—Steam launches proceeding for short sea.

DIVISION (E.).

Class 1.—Steamships carrying passengers on river or land-locked inland waters, but not going to sea or waters.

Class 2.—Tug boats and steam lighters which proceed to sea.

Class 3.—Hulks, dredgers, steam hoppers, &c., proceed to sea and which do not proceed to sea.

Division (A.).—Class 1.

Rules for Steamships carrying Emigrant Passengers to all the Provisions of the "Passengers Act"

(a) Ships of Division (A.) Class 1, shall carry boats under davits, fit and ready for use, and having provisions for getting them into the water, in number and as prescribed by the table in the appendix to these rules. Boats shall be equipped in the manner required by the description defined in the general rules hereto.

(b) Masters or owners of ships of this class shall carry fewer boats under davits than are given in the table and declare before the collector or other officers of customs at time of clearance, that the boats actually placed under davits are sufficient to accommodate all persons on board, 10 (ten) cubic feet of boat capacity for each adult and 15 (fifteen) "statute adult."

(c) Not less than half the number of boats placed under davits having at least half the cubic capacity required by the tables, shall be boats of Section (A.), or Section (B.). Remaining boats may also be of such description, or make, at the option of the shipowner, conform to Section (C.) or (D.), provided that not more than two boats shall be of (D.).

(d) If the boats placed under davits in accordance with the table do not furnish sufficient accommodation for all persons on board, then additional wood, metal, collapsible boats of approved description (whether placed under davits or otherwise) or approved life rafts shall be carried. These boats may be a steam launch; but in that case they shall not be occupied by the engines and boilers is not to be included in the estimated cubic capacity of the boat.

Subject to the provision contained in paragraph (d) of these rules, such additional boats or rafts shall be of at least the same carrying capacity that they and the boats required to

Life-Saving Appliances:—Foreign-going Steamshi

(c) Not less than half the number of boats placed under davits shall be boats of Section (A.) or Section (B.). Remaining boats may also be of such description, or make, at the option of the shipowner, conform to Section (C.) or Section (D.), provided that not more than two boats shall be of Section (C.) or Section (D.).

(d) If the boats placed under davits in accordance with the requirement do not furnish sufficient accommodation for persons on board, then additional wood, metal, collapsible other boats of approved description (whether placed under davits or otherwise), or approved life-rafts, or approved deck seats, or other approved buoyant deck fittings, carried on or at least such cubical capacity that they shall be required to be placed under davits by the table together in the aggregate one-half more than the number of cubic contents provided by column 3 of that table. For every purpose 3 cubic feet of air case in the life raft is to be equal as 10 cubic feet of internal capacity. Provided always that the life-rafts will accommodate all the persons for which they are certified under the rules, and also have 3 cubic feet of air case for each person.

(e) Ships of this class shall carry not less than six approved life-buoys.

(f) They shall also carry, in addition to the boats, the appliances required above, approved life-belts or other approved articles of equal buoyancy suitable for being worn by the person, so that there may be at least one for each person on board the ship.

(g) Provided nevertheless that no ship of this class shall be required to carry more boats, rafts, and other buoyant fittings than will furnish sufficient accommodation for persons on board.

Division (A).—Class 4.

Rules for Foreign-going Steamships not certified to carry Passengers.

(a) Ships of this class shall carry, on each side, at least one and such boats of wood or metal placed under davits, of which one on one side shall be a boat of Section (A.), and on the other side shall be a boat of Section (A.), or Section (B.), or Section (C.), that the boats on each side of the ship shall be sufficient to accommodate all persons on board.

(b) They shall carry approved life-belts, so that there shall be one for each person carried on board the ship.

(c) They shall carry not less than six approved life-rafts. In the case of small steamships a discretion may be exercised by the Board of Trade to modify the requirements for life-rafts.

Life-Saving Appliances:—Home Trade Steam

Division (B.).—Class 2.

Rules for Foreign-going Sailing Ships not carrying but not subject to all the Provisions of the "Acts."

Ships of this class shall be subject to the same requirements as those in Division (B.), Class 1.

Division (B.).—Class 3.

Rules for Foreign-going Sailing Ships not carrying Passengers

(a) Ships of this class shall carry a boat or boats (A.) or (B.) sufficient for all the persons on board in addition thereto one good serviceable boat of Sea Type. Such boats shall as far as practicable, having due regard to their safety at sea, be placed under davits, with appliances for getting them quickly into the water; all boats placed under davits are to be so carried that they can be got into the water to the satisfaction of the Board of Trade officer.

(b) They shall carry approved life-belts as required for ships in Division (B.), Class 1, and also one life-buoy for each person on board of wood or metal.

In the case of small vessels a discretion may be exercised by the Board of Trade to modify the boat requirements.

Division (B.).—Class 4.

Sailing Ships carrying Passengers anywhere within the Home-trade Limits.

(a) Ships of this class shall carry a boat or boats (A.) and (B.) or (C.) sufficient for all the persons on board. Such boats shall be as far as practicable under davits and all boats not placed under davits are to be so carried that they can readily be got into the water to the satisfaction of the Board of Trade officer.

(b) They shall carry four life-buoys and a life-belt for each person on board, and a similar approved article for each person on board.

Division (C.).—Class 1.

Rules for steamships not certified to carry Passengers anywhere within the Home-trade Limits.

(a) Ships of this class shall carry, on each side, as many and such boats of wood or metal placed under davits (of which one on each side shall be a boat of Sea Type).

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Life-Saving Appliances:—Coasting Trade Stea

(c) If the boats placed under davits in accordance with the above requirements do not furnish sufficient accommodation for all persons on board, then additional wood, metal, or other boats of approved description (whether under davits or otherwise), or approved life-rafts, buoyant deck seats, or other approved buoyant devices shall be carried of at least such cubical capacity that the boats required to be placed under davits shall provide together in the aggregate one-half more than the minimum cubic contents provided by column 3 of Table 1. For this purpose 3 cubic feet of air space in the life-raft shall be estimated as 10 cubic feet of internal capacity. It shall always be so arranged that the life-rafts will accommodate the persons on board, and they are certified under the rules and also have 3 cubic feet of air space for each person.

(d) Ships of this class shall also carry approved life-belts or other similar approved articles of equal buoyancy for being worn on the person, so that there may be one for each person on board the ship.

(e) At least one approved life-buoy shall also be carried for each boat of wood or metal carried by the ship, and in every case shall be less than six approved life-buoys be provided.

(f) Provided nevertheless that no ship of this class shall be required to carry more boats, rafts, and other buoyant fittings than will furnish sufficient accommodation for all persons on board.

Division (D).—Class 2.

Steamships carrying Passengers in Estuaries or Rivers or on short Excursions or Pleasure Trips

(a) Ships of this class shall carry at least two life-rafts, one on each side of the ship, of Section (A.), or Section (B.), or Section (C.), placed under davits, and with proper appliances for getting them into the water.

(b) They shall also carry other boats, approved life-rafts, or apparatus, and (or) approved life-belts sufficient to accommodate all the persons on board the ship.

(c) At least four approved life-buoys shall be carried.

Division (D).—Class 3.

Steamships not certified to carry Passengers, and engaged solely in the Coasting Trade.

(a) Ships of this class shall carry one boat of Section (A.), (B.), or (C.), so fitted that it can be readily placed on either side of the ship, and amply sufficient to carry all the persons on board.

- (b) They shall carry two approved life-buoys.
 - (c) They shall carry life-belts, so that there may be one for each person on board the ship.
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Division (D).—Class 4.

Sailing Ships not carrying Passengers, and employed solely in the Coasting Trade.

- (a) Ship of this class shall carry one boat so fitted that it can be readily put out on either side of the ship, and amply sufficient to carry all the persons on board.
 - (b) They shall carry two approved life-buoys.
 - (c) They shall carry life-belts so that there may be one for each person on board the ship.
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Division (D).—Class 5.

Steam Fish Carriers, Tug Boats, and Steam Lighters, which proceed to Sea.

- (a) Ships of this class shall carry one boat of Sections (A.), (B), or (C), so fitted that it can be readily put out on either side of the ship, and amply sufficient to carry all the persons on board.
 - (b) They shall carry two approved life-buoys.
 - (c) They shall carry life-belts, so that there may be one for each person on board the ship.
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Division (D).—Class 6.

Steam Launches proceeding for Short Distances to Sea.

- (a) Steam launches are themselves little more than boats, and therefore shall not be required to carry boats.
 - (b) They shall carry two approved life-buoys.
 - (c) They shall carry life-belts, so that there may be one for each person on board.
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Division (E).—Class 1.

Rules for Steamships carrying Passengers on Rivers, Lakes, or Land-locked Inland Waters, but not going to Sea, or into Rough Waters.

- (a) Ships of this class shall carry one boat in such a position that it can readily be got into the water. They shall also carry approved buoyant apparatus or approved life-belts,

Life-Saving Appliances:—Hulks, Dredger

and approved life-buoys at least sufficient, together with a boat, to keep afloat all persons carried on board.

(b) At least four approved life-buoys shall be

NOTE.—A discretion may be exercised by the Board of Trade to relieve steam launches, steamers plying in coastal waters, and ferry boats, from the operation of the provisions of part of Rule (a) of this class.

Division (E).—Class 2.

Tug Boats and Steam Lighters which do not proceed to sea from another port.

(a) These vessels shall carry one boat of any size sufficient to carry all the persons on board.

(b) They shall carry two approved life-buoys.

(c) They shall carry approved life-belts, so that there shall be one for each person on board.

Division (E).—Class 3.

Hulks, Dredgers, Steam Hoppers, &c.

If these vessels do not proceed to sea from one port to another they shall carry the same boats and appliances provided for in Class 2.

If they proceed to sea from one port to another they shall carry in addition one boat of Sections (B) or (C.) sufficient to carry all the persons on board with proper appliances to enable it to be put out either side of the ship.

General Rules.

(1.) BOATS.—All boats shall be constructed and equipped as provided by these rules, and all boats shall be provided with life-saving appliances to be kept ready for the satisfaction of the Board of Trade. Internal air-tight apparatus may be constructed of wood, or of copper or metal of not less than 18 oz. to the superficial inch of other durable material.

Section (A).—A boat of this section shall be a life-boat in whale-boat form, properly constructed of wood or metal having for every 10 cubic feet of her capacity as in Rule 2, at least one cubic foot of stowage space for air-tight compartments, so constructed that water cannot find its way into them. If of metal boats in addition will have to be provided with a cubic capacity of the air-tight compartment to give them buoyancy equal to that of the wood.

Section (B.).—A boat of this section shall be a life-boat, of whale-boat form, properly constructed of wood or metal, having inside and outside buoyancy apparatus together equal in efficiency to the buoyancy apparatus provided for a boat of Section (A.). At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Section (C.).—A boat of this section shall be a life-boat, properly constructed of wood or metal, having some buoyancy apparatus attached to the inside and (or) outside of the boat equal in efficiency to one-half of the buoyancy apparatus provided for a boat of Section (A.) or Section (B.) At least one-half of the buoyancy apparatus must be attached to the outside of the boat.

Section (D.).—A boat of this section shall be a properly constructed boat of wood or metal.

Section (E.).—A boat of this section shall be a boat of approved construction, form, and material, and may be collapsible.

(2.) CUBIC CAPACITY.—The cubic capacity of a boat shall be deemed to be her cubic capacity ascertained (as in measuring ships for tonnage capacity) by Stirling's rule; but as the application of that rule entails much labour, the following simple plan, which is approximately accurate, may be adopted for general purposes, and when no question requiring absolute correct adjustment is raised :—

Measure the length and breadth outside and the depth inside. Multiply them together and by '6; the product is the capacity of the boat in cubic feet. Thus a boat 28 ft. long, 8 ft. 6 in. broad, and 3 ft. 6 in. deep, will be regarded as having a capacity of $28 \times 8.5 \times 3.5 \times .6 = 499.8$, or 500 cubic feet. If the oars are pulled in rowlocks, the bottom of the rowlock is to be considered the gunwale of the boat for ascertaining her depth.

(3.) NUMBER OF PERSONS FOR BOATS.—The number of persons a boat of Section (A.) shall be deemed fit to carry shall be the number of cubic feet ascertained as in Rule (2) divided by 10.

The number of persons a boat of Section (B.), Section (C.), Section (D.), or Section (E.) shall be deemed fit to carry shall be the number of cubic feet ascertained as in Rule (2) divided by 8. The space in the boat shall be sufficient for the seating of the persons carried in it, and for the proper use of the oars.

(4.) APPLIANCES FOR LOWERING BOATS.—Appliances for getting a boat into the water must fulfil the following conditions:—Means are to be provided for speedily, but not necessarily simultaneously or automatically, detaching the boats from the lower blocks of the davit tackles; the boats placed under davits are to be attached to the davit tackles and kept ready for service; the davits are to be strong enough and so spaced that

the boats can be swung out with facility; the pointment of the boats to the davits are to be sufficient from the ends of the boats to ensure their being clear of the davits; the boats' chocks are to be so expeditiously removed: the davits, falls, blocks, eyes and the whole of the tackling are to be of sufficient strength; the boats' falls are to be long enough to lower the boats into the water with safety when the vessel is light. They shall be fitted to the davits and be long enough to raise the boats out of the water when the vessel is light; and hooks are attached to the lower tackle blocks.

(5.) EQUIPMENT FOR COLLAPSIBLE OR OTHER LIFE-RAFTS.—In order to be properly equipped each shall be provided as follows;—

- (a) With the full single-banked complement of two spare oars.
- (b) With two plugs for each plug-hole, attached by yards or chains, and one set and a half of the crutches, attached to the boat by sound lanyards.
- (c) With a sea-anchor, a baler, a rudder, a tiller and yoke lines, a painter of sufficient length, a hook. The rudder and baler to be attached to the boat by sufficiently long lanyards, and kept ready. In boats where there may be a difficulty in using the rudder a steering oar may be provided instead.
- (d) A vessel to be kept filled with fresh water provided for each boat.
- (e) Life-rafts shall be fully provided with the approved equipment.

(6.) ADDITIONAL EQUIPMENTS FOR BOATS OF SECTION (A.) AND SECTION (B.).—In order to be properly equipped each boat of Sections (A.) and (B.) in addition to the equipment provided with all the requisites laid down in the regulations shall be equipped as follows, but not more than if in any one ship require to have this outfit, and when of Sections (A.) or (B.) are carried in lieu of Sections (C.) or (D.), this additional outfit need not be insisted on:

- (a) With two hatchets or tomahawks, one to each end of the boat, and to be attached to the boat by a lanyard.
- (b) With a mast or masts, and with at least one set of proper gear for each.
- (c) With a line becketted round the outside of the boat and securely made fast.
- (d) With an efficient compass.
- (e) With one gallon of vegetable or animal oil, and an approved pattern for distributing it in the rough weather.

(f) With a lantern trimmed, with oil in its receiver sufficient to burn eight hours.

(7.) NUMBER OF PERSONS FOR LIFE-RAFTS.—The number of persons that any approved life-raft for use at sea shall be deemed to be capable of carrying shall be determined with reference to each separate pattern approved by the Board of Trade; provided always, that for every person so carried there shall be at least three cubic feet of strong and serviceable enclosed air-tight compartments constructed so that water cannot find its way into them. Any approved life-raft of other construction may be used, provided that it has equivalent buoyancy to that herein-before described. Every such approved life-raft shall be marked in such a way as to plainly indicate the number of adult persons it can carry.

(8.) BUOYANT APPARATUS.—Approved buoyant apparatus shall be deemed sufficient, so far as buoyancy is concerned, for a number of persons, to be ascertained by dividing the number of pounds of iron which it is capable of supporting in fresh water by 32. Such buoyant apparatus shall not require to be inflated before use, shall be of approved construction, and marked in such a way as plainly to indicate the number of persons for whom it is sufficient.

(9.) LIFE-BELTS.—An approved life-belt shall mean a belt which does not require to be inflated before use, and which is capable at least of floating in the water for 24 hours with 15 lbs. of iron suspended from it. Life-belts are to be cut out 2 inches under the arm-pits, and fitted so as to remain securely in their place when put on.

(10.) LIFE-BUOYS.—An approved life-buoy shall mean either—

(a) a life-buoy built of solid cork, capable of floating in the water for at least 24 hours with 32 lbs. of iron suspended from it; or

(b) a strong life-buoy of any other approved pattern or material, provided that it is capable of floating in the water for at least 24 hours with 32 lbs. of iron suspended from it, and provided also that it is not stuffed with rushes, cork shavings, or other shavings, or loose granulated cork, or other loose material, and does not require inflation before use.

All life-buoys shall be fitted with beackets securely seized, and not less than two of them shall be fitted with life-lines 15 fathoms in length.

(11.) POSITION OF LIFE-BUOYS AND LIFE-BELTS.—All life-buoys and life-belts shall be so placed as to be readily accessible to all persons on board, and so that their position may be known to those for whom they are intended.

(12.) WATERTIGHT COMPARTMENTS.—When ships of any class are divided into efficient water-tight compartments to

Life-Saving Appliances:—General.

the satisfaction of the Board of Trade, they shall be required to carry additional boats, rafts, and buoys of one-half of the capacity required by these rules. This exemption shall not extend to life-jackets or similar articles of equal buoyancy suitable to be worn on

Appendix.

The Table referred to in the foregoing Rules, showing
Number of Boats to be placed under Davits and their Minimum Contents.

Gross Tonnage	Minimum Number of Boats to be placed under Davits.	Total Minimum Cubic Contents of Boats to be placed under Davits. L. x B. x D. x 3.	Gross Tonnage.	Minimum Number of Boats to be placed under Davits.
1.	2.	3.	1.	2.
10,000 and upwards	16	5,500	2,500 and under 2,750	4
9,000 and upwards	14	5,250	2,250 „ 2,500	4
8,500 and under 9,000	14	5,100	2,000 „ 2,250	4
8,000 „ 8,500	14	5,000	2,750 „ 3,000	6
7,750 „ 8,000	12	4,700	2,500 „ 2,750	6
7,500 „ 7,750	12	4,600	2,250 „ 2,500	6
7,250 „ 7,500	12	4,500	2,000 „ 2,250	6
7,000 „ 7,250	12	4,400	1,750 „ 2,000	6
6,750 „ 7,000	12	4,300	1,500 „ 1,750	6
6,500 „ 6,750	12	4,200	1,250 „ 1,500	6
6,250 „ 6,500	12	4,100	1,000 „ 1,250	4
6,000 „ 6,250	12	4,000	900 „ 1,000	4
5,750 „ 6,000	10	3,700	800 „ 900	4
5,500 „ 5,750	10	3,600	700 „ 800	4
5,250 „ 5,500	10	3,500	600 „ 700	3
5,000 „ 5,250	10	3,400	500 „ 600	3
4,750 „ 5,000	10	3,300	400 „ 500	2
4,500 „ 4,750	8	2,900	300 „ 400	2
4,250 „ 4,500	8	2,900	200 „ 300	2
4,000 „ 4,250	8	2,800	100 „ 200	2
3,750 „ 4,000	8	2,700		

NOTE.—Where in ships already fitted the required cubic contents of boats is provided, although by a smaller number of boats than the minimum required, the ships shall be regarded as complying with the rules as to boats to be carried under.

In the case of vessels under 200 tons gross tonnage the number of boats to be supplied should not be less than 125 cubic feet. In any case this rule be found to be impracticable, a discretion may be exercised by the Board of Trade.

In cases where a small vessel is unable to carry more than 125 cubic feet of life-saving appliances, a discretion may be exercised by the Board of Trade, but where only one boat is carried there must be proper provision to enable it to be readily launched in the water on either side of the ship.

B. Load Line.**(i.) Regulations.****REGULATIONS MADE BY THE BOARD OF TRADE UNDER THE
MERCHANT SHIPPING ACT, 1894 (57 & 58 VICT, c. 60).**

1899. No. 8.

At the Council Chamber, Whitehall, this 12th day of January,
1899.

PRESENT :

The Right Honourable Charles T. Ritchie, M.P.

In pursuance of the provisions of the Merchant Shipping Act, 1894,* the Board of Trade do hereby repeal the regulations made by them, dated the 22nd June, 1896,† and in lieu thereof the Board of Trade do hereby make the regulations hereunto annexed, and direct that the same shall come into effect from the date of this minute.

Chas. T. Ritchie.

President.

MERCHANT SHIPPING ACT, 1894.

1. The circular disc prescribed by Section 438 of the Merchant Shipping Act, 1894, shall be 12 inches in diameter with a horizontal line 18 inches in length and drawn through its centre. The disc shall be marked amidships on each side of the ship, the position of its centre being placed at such level as is specified in the Board of Trade certificate of approval.

2. The lines to be used in connexion with the disc in order to indicate the maximum load-line under different circumstances and at different seasons shall be horizontal lines, 9 inches in length and 1 inch in thickness, extending from and at right angles to a vertical line marked 21 inches forward of the centre of the disc.

The maximum load-lines in fresh water shall be marked abaft such vertical line, and the maximum load-lines in salt water shall be marked forward of such vertical line, as shown in the diagrams herein-after mentioned.

* 57 & 58 Vict. c. 60.

† Printed in Statutory Rules and Orders, 1896, pp. 197-206

3. Such maximum load-lines shall be as follow
upper edge of such lines shall respectively indicate

For fresh water.—The maximum depth to
vessel can be loaded in fresh water.

For Indian summer.—The maximum depth to
vessel can be loaded for voyages during the 1
in the Indian seas, between the limits of
Singapore.

For summer.—The maximum depth to which 1
can be loaded for voyages (other than Indian
voyages) from European and Mediterranean port
the months of April and September, both incl
as to voyages in other parts of the world (o
Indian summer voyages) the maximum depth
the vessel can be loaded during the correspo
recognised summer months.

For winter.—The maximum depth to which the v
be loaded for voyages (other than Indian
voyages and summer voyages) from European s
terranean ports between the months of Oct
March, both inclusive, and as to voyages in ot
of the world the maximum depth to which the v
be loaded during the corresponding or recognise
months.

For winter (North Atlantic).—the maximum c
which the vessel can be loaded for voyages to,
the Mediterranean, or any European port, fro
ports in British North America, or Eastern port
United States, North of Cape Hatteras, betw
months of October and March both inclusive.

Such maximum load lines shall be distinguished b
letters conspicuously marked opposite such horizon
as aforesaid, such initial letters being as follows :—

F.W.—Fresh water.

I.S.—Indian summer.

S.—Summer.

W.—Winter.

W.N.A.—Winter, North Atlantic.

4. The upper edge of the horizontal line passing
the centre of the disc shall always indicate the n
summer load-line in salt water. The relative position
upper edges of the other lines to be used in connexi
the disc, with the upper edge of the line passing thro
centre of the disc (the maximum summer load-line)
indicated in the certificate of approval.

5. Part V. of the Merchant Shipping Act, 1894, sh
effect as if the maximum load-line applicable to a p
voyage were drawn through the centre of the disc.

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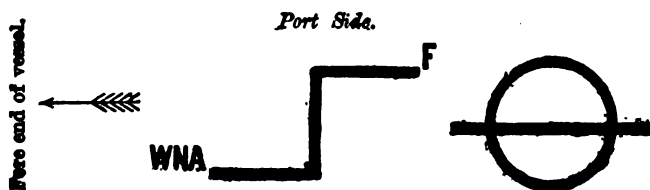
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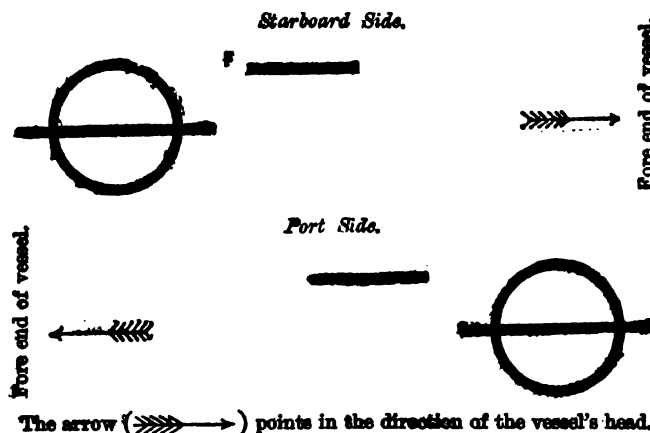


Fore end of vessel.





8. SAILING SHIPS ENGAGED IN THE COASTING TRADE.



9. Application for a certificate of approval of the position of the disc and of the lines to be used in connexion therewith or any alteration thereof shall be made by one of the registered owners of the ship or by the builder of the ship. Every application shall be made in the form marked L.L. 1 in the schedule hereto.

10. With respect to certificates of approval, and their duration the following rules shall prevail:—

- (a) As regards all ships classed in Lloyd's Register or by any other corporation or association for the survey or registry of shipping approved by the Board of Trade, the certificate of approval shall cease to have effect when the class of the ship is changed or withdrawn. Such certificate shall be in the form L.L. 2 or L.L. 3 in the schedule hereto according as the ship is a steamship or sailing ship.
- (b) As regards unclassified iron and steel steamships the certificate of approval will be granted for the period mentioned therein, and upon the expiration of such period the certificate shall cease to have effect. The certificate shall be in the form L.L. 2B. in the schedule hereto.
- (c) As regards unclassified wooden ships which have been opened out for survey, and unclassified iron and steel

sailing ships, the certificate will be granted for a fixed time varying with the age and condition of the ship, and at the expiration of such period it shall cease to have effect. Such certificate shall be in the form L.L. 3A. in the schedule hereto.

- (d) As regards unclassified wooden ships which have not been opened out for survey, no limit of time will be imposed in the certificate, which shall be in the form L.L. 3B. in the schedule hereto.
- (e) As regards all vessels having deck erections in respect of which deductions have been made for freeboard, if any change tending to invalidate the right to such deductions is made in the structural condition of the deck erections, the certificate of approval shall thereby cease to have effect.

11. Every certificate of approval shall be issued in duplicate, one part shall be delivered to the applicant, and the other part shall be forthwith sent to the Assistant Secretary, Marine Department, Board of Trade.

12. On a certificate of approval ceasing to have effect, application shall at once be made by the registered managing owner of the ship for granting of a new certificate of approval, and the old certificate shall be delivered up to the Board of Trade, who shall cancel the same. In default of a certificate, which has ceased to have effect, being handed in for cancellation, it shall be competent for an officer of the Board of Trade to notify any collector of customs that such certificate is no longer valid, and for any collector on receiving such notice to refuse clearance to the vessel in question.

13. The master of every British ship shall, before she leaves any dock, wharf, port, or harbour in the United Kingdom, Her Majesty's possessions, or any foreign country, for the purpose of proceeding to sea, enter in the official log all the particulars stated in the certificate so issued as aforesaid if not previously entered.

14. The managing owner or master shall forthwith, on the delivery to him or to his agent of any such certificate as aforesaid, cause the same to be framed and put up in some conspicuous part of the ship so as to be visible to all persons on board the same, and shall cause it to be continued so put up so long as such certificate remains in force and such ship is in use.

15. For the purpose of these regulations the expression "amidships" shall mean middle of the length of the load water line as measured from the fore side of the stem to the aft side of the stern post.

Dated this 12th day of January, 1899.

Load Line:—Regs. as to Marking:—Sch.

Schedule.

FORM L.L. 1.

APPLICATION for CERTIFICATE of APPROVAL of the POSITION of the DISC and of the LINES to be used in connexion under the provisions of the Merchant Shipping Act, 1894

Application is hereby made to _____ of approval of the position (or alteration of the position) of the disc and of the lines to be used in connexion therewith (sailing ship) _____ Official No. _____. (The vessel is _____) (is not classed).

The vessel is (is not) intended to be employed in the Indian

The vessel is (is not) intended to be employed in the Indian trade.

No previous application has been made either by the owner for a certificate of approval of the position (or alteration) of the centre of the disc on this vessel to this authority appointed in accordance with Section 443 of the Shipping Act, 1894 (except in respect of a previous certificate which has expired or ceased to have effect)

Dated this _____ day of _____ 18 _____.
Registered

FORM L.L. 2.

CERTIFICATE of APPROVAL of the POSITION (Alteration of the the CENTRE of the DISC and of the LINES to be used therewith, on the Steamship "_____" Official No. _____) pursuant of the Merchant Shipping Act, 1894.

The [_____] [_____].

The Board of Trade have approved of the position [or the position] of the centre of the disc and of the lines to connexion therewith on the steamship "_____" Official No. _____ and hereby certify—

- (a) that the centre of such disc is placed at _____ feet below the _____ deck line marked under the provisions of the Merchant Shipping Act, 1894.
- (b) that the position of the lines to be used in connexion with the disc shall be as follows:

Maximum load-line in fresh water.—The upper edge of the disc is _____ feet _____ inches above the upper edge of the line passing through the centre of the disc.

Maximum load-line in Indian summer.—The upper edge of the disc is _____ feet _____ inches above the upper horizontal line passing through the centre of the disc.

Maximum load-line in summer.—The upper edge of the disc is _____ feet _____ inches above the upper horizontal line passing through the centre of the disc.

Maximum load-line in winter.—The upper edge of the disc is _____ feet _____ inches below the upper horizontal line passing through the centre of the disc.

Maximum load-line in North Atlantic winter.—The upper edge of this line is _____ feet _____ inches below the upper horizontal line passing through the centre of the disc.

This certificate is to remain in force only so long as the vessel remains in her present class, provided that no change has taken place in the structural condition of those deck erections in respect of which deductions have been made for freeboard.

Dated this day of , 18 .

An Assistant Secretary to the said Board.

Note.—In accordance with the regulations made by the Board of Trade the disc and lines must be permanently marked by centre punch marks or cutting, and the particulars given in this certificate are to be entered in the official log. The certificate must also be framed and put up in some conspicuous part of the ship.

If and so soon as the class of the ship is either changed or withdrawn, or if and so soon as any change is made in the structural condition of the deck erections above mentioned, this certificate will be cancelled and must be delivered to the Board of Trade for that purpose, and the owner must then apply for a new certificate.

The *summer freeboard* applies to voyages from European and Mediterranean ports, from April to September inclusive. In other parts of the world this freeboard should be used during the corresponding or recognised summer months.

The *freeboard for Indian summer* applies to voyages in the fine season in the Indian seas between the limits of Suez and Singapore.

The *freeboard for winter North Atlantic* trades, applies to vessels sailing to, or from, the Mediterranean, or any British or European port, and which may sail to, or from, or call at, ports in British North America, or eastern ports in the United States, north of Cape Hatteras, from October to March inclusive.

FORM L.L. 2B.

CERTIFICATE of APPROVAL of the POSITION [Alteration of the Position] of the CENTRE of the DISC, and of the LINES to be used in connexion therewith on the Steamship " " Official No. , in pursuance of the Merchant Shipping Act, 1894.

The []
[].

The Board of Trade have approved of the position [or alteration of the position] of the centre of the disc, and of the lines to be used in connexion therewith on the steamship " ", Official No. , and hereby certify—

(a) that the centre of such disc is placed at feet inches below the deck line marked under the provisions of the Merchant Shipping Act, 1894 ;

(b) that the position of the lines to be used in connexion with the disc shall be as follows :

Maximum load-line in fresh water.—The upper edge of this line is feet inches above the upper edge of the horizontal line passing through the centre of the disc.

Maximum load-line in Indian summer.—The upper edge of this line is feet inches above the upper edge of the horizontal line passing through the centre of the disc.

Maximum load-line in summer.—The upper edge of this line is on the same level as the upper edge of the horizontal line passing through the centre of the disc.

Load Line:—Regs. as to Marking:—Sch

Maximum load-line in winter.—The upper edge of the feet inches below the upper edge of the passing through the centre of the disc.

Maximum load-line in North Atlantic winter.—The this line is feet inches below the upper horizontal line passing through the centre of the disc

This certificate is to remain in force until the da
18 .

Dated this day of 18 .

An Assistant Secretary to the

Note.—In accordance with the regulations made by the B the disc and lines must be permanently marked by centre putting, and the particulars given in this certificate are to be official log. The certificate must also be framed and put up conspicuous part of the ship.

On the day of 189 , or if and so soon as made in the structural condition of those deck erections, which deductions have been made for freeboard, this certificate to have effect, and it must be delivered to the Board of Trade, and the owner must then apply for a new certificate.

The *summer freeboard* applies to voyages from European seaports from April to September inclusive. In other parts of the world this freeboard should be used during the corresponding summer months.

The *freeboard for Indian summer* applies to voyages in the Indian seas between the limits of Suez and Singapore.

The *freeboard for winter, North Atlantic trades*, applies to ships sailing to, or from, the Mediterranean, or any British or European ports which may sail to, or from, or call at, ports in British North America, or in the United States, north of Cape Hatteras, from March inclusive.

FORM L.L. 3.

CERTIFICATE OF APPROVAL of the POSITION [alteration of the position] of the CENTRE of the DISC, and of the LINES to be used therewith on the sailing ship " , " Official No. , pursuant to the Merchant Shipping Act, 1894.

The []

[]
The Board of Trade have approved of the position [or alteration of position] of the centre of the disc, and of the lines to be used therewith on the sailing ship " , " Official No. , do hereby certify—

- (a) that the centre of such disc is placed at feet above the deck line marked under the provisions of the Merchant Shipping Act, 1894 ;
- (b) that the position of the lines to be used in connexion with the disc shall be as follows :—

Maximum load-line in fresh water.—The upper edge of the disc is feet inches above the upper edge of the horizontal line passing through the centre of the disc.

Maximum load-line in winter North Atlantic.—The upper edge of this line is feet inches below the horizontal line passing through the centre of the disc.

This certificate is to remain in force only so long as the vessel remains in her present class, provided that no change has taken place in the structural condition of those deck erections, in respect of which deductions have been made for freeboard.

Dated this day of , 18 .

. An Assistant Secretary to the said Board.

Note.—In accordance with the regulations made by the Board of Trade, the disc and lines must be permanently marked by centre punch marks or cutting, and the particulars given in this certificate are to be entered in the official log. This certificate must also be framed and put up in some conspicuous part of the ship.

If and so soon as the class of the ship is either changed or withdrawn, or if and so soon as any change is made in the structural condition of the deck erections above-mentioned this certificate will be cancelled, and must be delivered to the Board of Trade for that purpose, and the owner must then apply for a new certificate.

The *freeboard for winter, North Atlantic trades*, applies to vessels sailing to, or from, the Mediterranean, or any British or European port, and which may sail to, or from, or call at ports in British North America, or eastern ports in the United States, north of Cape Hatteras, from October to March inclusive.

FORM L.L. 2A.

CERTIFICATE OF APPROVAL of the POSITION (alteration of the position) of the CENTRE of the DISC, and of the LINES to be used in connexion therewith on the Sailing Ship, " , Official No. , in pursuance of the Merchant Shipping Act, 1894.

The [] .

The Board of Trade have approved of the position [or alteration of the position] of the centre of the disc, and of the lines to be used in connexion therewith on the sailing ship " , Official No. , and hereby certify—

- (a) that the centre of such disc is placed at feet inches below the deck line marked under the provisions of the Merchant Shipping Act, 1894.
- (b) that the position of the lines to be used in connexion with the disc shall be as follows :—

Maximum load-line in fresh water.—The upper edge of this line is feet inches above the upper edge of the horizontal line passing through the centre of the disc.

Maximum load-line in winter, North Atlantic.—The upper edge of this line is feet inches below the upper edge of the horizontal line passing the centre of the disc.

This certificate is to remain in force until the day of 18 .

Dated this day 189 .

An Assistant Secretary to the said Board.

Note.—In accordance with the regulations made by the Board of Trade, the disc and lines must be permanently marked by centre punch marks or cutting, and the particulars given in this certificate are to be entered in the official log. This certificate must also be framed and put up in some conspicuous part of the ship.

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any change is made in the structural condition of those
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The *freeboard for winter, North Atlantic Trades*, applie
to, or from, the Mediterranean, or any British or Europea
may sail to, or from, or call at, ports in British North A
ports in the United States, north of Cape Hatteras, from (i
inclusive.

FORM L.L. 3B.

CERTIFICATE of APPROVAL of the POSITION (Alteration of
the CENTRE of the Disc, and of the LINES to be us
therewith on the Sailing Ship “ ” Off
in pursuance of the Merchant Shipping Act, 1894.

The []
[]

The Board of Trade have approved of the position [or s
position] of the centre of the disc, and of the lines to be us
therewith, on the sailing ship “ ” Off
and hereby certify—

- (a) that the centre of such disc is placed at feet
below the deckline marked unde
of the Merchant Shipping Act, 1894 ;
- (b) that the position of the lines to be used in connexio
shall be as follows—

Maximum load-line in fresh waaer.—The uppe
line is feet inches a
edge of the horizontal line passing through the
disc.

Maximum load-line in winter, North Atlantic.—
of this line is feet in
upper edge of the horizontal line passing thro
of the disc.

Dated this day of 189 .

An Assistant Secretary to the

Notes.—In accordance with the regulations made by the I
the disc and lines must be permanently marked by centre
cutting, and the particulars given in this certificate are to be
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If and so soon as any change is made in the structur
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Board of Trade for that purpose, and the owner must then s
certificate.

The *freeboard for winter, North Atlantic trades*, applies to
to, or from, the Mediterranean, or any British or European
may sail to, or from, or call at, ports in British North Ame
ports in the United States, north of Cape Hatteras, from Oct
inclusive.

(ii) Ships registered in British Possessions.

ORDERS IN COUNCIL DECLARING THAT LOAD-LINES FIXED AND MARKED AND CERTIFICATES GIVEN IN CERTAIN BRITISH POSSESSIONS SHALL HAVE THE SAME EFFECT AS IF FIXED, MARKED, OR GIVEN IN PURSUANCE OF THE MERCHANT SHIPPING ACT, 1894.*

(a) India.

1899. No. 859.

At the Court at Windsor, the 28th day of November, 1899.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act, 1894* (Section 444), it is enacted that—

“Where the legislature of any British possession by any enactment provides for the fixing, marking and certifying of load-lines on ships registered in that possession, and it appears to Her Majesty the Queen that that enactment is based on the same principles as the provisions of this Part of this Act relating to load-lines and is equally effective for ascertaining and determining the maximum load-lines to which those ships can be safely loaded in salt-water, and for giving notice of the load-line to persons interested, Her Majesty in Council may declare that any load-line fixed and marked and any certificate given in pursuance of that enactment shall, with respect to ships so registered, have the same effect as if it had been fixed, marked, or given in pursuance of this part of this Act:”

And whereas the legislature of the Government of India have by the Deck and Load-Lines Act, 1891, made provision for the fixing, marking and certifying of load-lines on ships registered in that possession, and for giving notice of the load-line to persons interested :

And whereas it has been made to appear to Her Majesty the Queen that such provision is based on the same principles as the provisions of Part V of the Merchant Shipping Act, 1894,* and is equally effective for ascertaining and determining the maximum load-lines to which such ships can be safely loaded in salt water, and for giving notice of the load-line to the persons interested.

Now, therefore, Her Majesty, in exercise of the powers vested in Her by the Merchant Shipping Act, 1894,* by and

* 57 & 58 Vict. c. 60.

with the advice of Her Privy Council, is pleased and doth hereby declare that any load-line fixed and any certificate given in pursuance of the said Act, shall, with respect to such ships so registered, have the same effect as if it had been fixed, marked or given in pursuance of Part V of the Merchant Shipping Act, 1894.*

A.

(b) **South Australia.**

1900. No. 368.

At the Court at Windsor, the 15th day of March

PRESENT :

The Queen's Most Excellent Majesty in Council

Whereas by Section 444 of the Merchant Shipping Act, 1894,* it is provided that where the legislature of any colony in possession by any enactment provides for the fixing and certifying of load-lines on ships registered in that colony, and it appears to Her Majesty the Queen that such enactment is based on the same principles as those of the fifth part of the said Merchant Shipping Act, relating to load-lines, and is equally effective for ascertaining and determining the maximum load-lines to which such ships can be safely loaded in salt water, and for giving notice of the load-line to persons interested, Her Majesty may declare that any load-line fixed and marked on such ships in pursuance of that enactment shall have the same effect as if it had been fixed, marked, or given in pursuance of the said Merchant Shipping Act, 1894 :*

And whereas the legislature of the British Colony of South Australia has, by certain enactments, the Marine Board and Navigation Act Amendment Act, 1897, 57 & 58 Vict., No. 614, and the Marine Board and Navigation Act Amendment Act, 1897, 60 & 61 Vict., No. 6, for the fixing, marking, and certifying of load-lines on ships registered in that colony,

And whereas it appears to Her Majesty the Queen that the said enactments are based on the same principles as those of the fifth part of the said Merchant Shipping Act, 1894,* relating to load-lines, and are equally effective for ascertaining and determining the maximum load-lines to which such ships can be safely loaded in salt water, and for giving notice of the load-line to persons interested,

* 57 & 58 Vict. c. 60.

Now, therefore, Her Majesty, by virtue of the power vested in Her by Section 444 of the said Merchant Shipping Act, 1894,* is hereby pleased to declare that any load-line fixed and marked, and any certificate given in pursuance of the provisions of the said Marine Board and Navigation Acts shall, with respect to ships registered in the British Possession of South Australia, have the same effect as if such load-line or certificate had been respectively fixed and marked or given in pursuance of the provisions of the fifth part of the said Merchant Shipping Act, 1894.*

A. W. FitzRoy.

(c) Straits Settlements.

At the Court at Windsor, the 15th day of March, 1893.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act, 1890 † (Section 3) it is enacted that where the legislature of any British possession by any enactment provides for the fixing, marking, and certifying of load lines on ships registered in that possession, and it appears to Her Majesty the Queen that the provisions of that enactment are based on the same principles as the provisions of this Act, and are equally effective for ascertaining and determining the maximum load lines to which such ships can be safely loaded in salt water, and for giving notice of the load line to persons interested, it shall be lawful for Her Majesty by Order in Council to declare that any load line fixed and marked, and any certificate given in pursuance of that enactment shall, with respect to ships so registered, have the same effect as if they had been fixed, marked, or given in pursuance of this Act.

And whereas the legislature of the British Possession of the Straits Settlements by certain provisions of three enactments, namely, Ordinance No. II. of 1882, intituled "An Ordinance to repeal and re-enact with certain alterations the Steam Vessels Ordinance of 1873"; Ordinance No. X. of 1887, intituled, "An Ordinance to provide for the marking of deck and load lines on Steam Vessels registered in the Colony of the Straits Settlements"; and Ordinance No. XIII. of 1892, intituled "An Ordinance to amend the Steam Vessels Ordinances 1882 and 1887"; have provided for the fixing, marking, and certifying of load lines on steam ships registered in that possession.

* 57 & 58 Vict. c. 60.

† 53 & 54 Vict. c. 9; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

And whereas it has been made to appear to the Queen that such provisions of the said en based on the same principles as the provisions of Shipping Act, 1890* and are equally effective for and determining the maximum load lines to which registered in that possession can be safely loaded in salt water, and for giving notice of the load line to interested.

Now, therefore, Her Majesty, in exercise of the power vested in Her by the Merchant Shipping Act, 1890, with the advice of Her Privy Council, is pleased to doth hereby declare, that any load line fixed by any certificate given in pursuance of the said Act shall, with respect to steam ships registered in the Colonies, have the same effect as if it had been marked, or given in pursuance of the Merchant Shipping Act, 1890.*

C

(d) Victoria.

At the Court at Windsor, the 7th day of March 1894.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas . . . [*Here follows the first recital to the Bill relating to South Australia, printed at p. 2*]

And whereas the legislature of Victoria, by the Marine Act, 1890, 54 Vict., No. 1357, and the Marine Act, 1892, 56 Vict., No. 1357, and the Marine Act, 1897, 61 Vict., No. 1557, has provided for the fixing, and certifying of load-lines on ships registered in that possession.

And whereas it appears to Her Majesty that the marine enactments are based on the same principles as the provisions of the fifth part of the Merchant Shipping Act, 1894,† relating to load-lines, and are equally effective for ascertaining and determining the maximum load-line for ships registered in that possession can be safely loaded in salt water, and for giving notice of the load-line to interested.

Now, therefore, Her Majesty, by virtue of the power vested in Her by Section 444 of the said Merchant Shipping Act, 1894, is pleased to declare that any load-line, fixed and

* 53 & 54 Vict. c. 9 ; now repealed and consolidated with the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 57 & 58 Vict. c. 60.

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† 39 & 40 Vict
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Courts of Survey, their Districts and Officers.

4. The Courts of Survey, with the district each, and the persons authorised to act as judges and registrars thereof, and which have been approved by Majesty's principal Secretaries of State, as in Appendix A., shall be the Courts of Survey, and judges, and registrars of such courts, for the purposes of the Merchant Shipping Acts, 1854 to 1876.*

Publication of Rules.

5. These rules shall be published by the Stationery Office through its agents, and a copy of the rules shall be deposited at the office of the registrar of every Court of Survey, every custom house and mercantile marine office in the United Kingdom, and may be perused thereat by the master of any ship which may be provisionally detained under the Merchant Shipping Act, 1876,*† and by any one applying to him.

Publication of the Name of Registrar and of District.

6. A notice shall be put up in some conspicuous place in every custom house and mercantile marine office in the United Kingdom, containing the name of the registrar of the Court of Survey for that district, and the name of the street in which such registrar's office is situated.

Notice of Appeal.

7. Where the owner or master of a ship, herein called the appellant, desires to appeal to a Court of Survey, he shall file at the offices of the registrar of the Court of Survey for the London district, or for the district in which the ship is detained after called the court, a notice in the Form No. 1 in the Appendix.

Summoning of Court.

8. Immediately upon the filing of the notice of appeal, the registrar shall communicate the fact, by telegraph or otherwise, to the Board of Trade, who shall thereupon inform the appellant whether they intend to have the appeal heard by the commissioner, and, if so, on what day.

9. If the Board of Trade inform him that they do not intend to have the appeal heard by a wreck commissioner, the registrar shall forthwith ascertain which of the Courts of Survey of the court will hear the appeal, and on what day.

* Now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 39 & 40 Vict. c. 80.

10. On ascertaining when the hearing will take place, the registrar shall, if there is a list of assessors for the court, select therefrom the person who is, in his opinion, the best qualified to act as assessor on the appeal; or if there is no such list, he will take the instructions of the judge as to the assessor to be appointed.

11. The Board of Trade shall appoint the other assessor, and shall forthwith send the name and address of such assessor to the registrar.

12. If the ship is a foreign ship, the registrar shall give notice to the consular officer for the state to which the ship belongs, residing at or nearest to the place where the ship is detained, that, at the request of the appellant, some competent person will be selected by the consular officer to act as assessor.

13. As soon as the registrar has ascertained by whom the appeal will be heard, he shall summon the court in the Form No. 2 in Appendix B. He shall at the same time send notice thereof to the Board of Trade and to the appellant, in the Form No. 3 in Appendix B.

14. If the survey has been made on the complaint of any person, herein-after called the complainant, the Board of Trade shall send to him notice of the time and place appointed for the hearing.

15. Previous to the hearing the Board of Trade shall forward to the registrar, to be produced as evidence at the hearing, an official copy of the report of the surveyor.

16. The court shall, if practicable, be summoned to hear the appeal on a day not later than fourteen days from the filing of the notice of appeal.

Parties.

17. The Board of Trade and the appellant shall be parties to the proceedings.

18. Any other person, on entering an appearance, may, by permission of the judge, be made a party to the proceedings.

Notice to Produce.

19. Either party may give to the other a notice in writing to produce such documents (saving all just exceptions) as relate to any matters in difference, and which are in the possession or control of such other party; and if such notice be not complied with, secondary evidence of the contents of the said documents may be given by or on behalf of the party who gave such notice.

Notice to Admit.

20. Either party may give to the other party writing to audit any documents (saving all just and in case of neglect or refusal to admit after the party so neglecting or refusing shall be liable costs of proving such documents, whatever the reason unless the court is of opinion that the refusal is reasonable; and no costs of proving any document allowed unless such notice be given, except where the notice is, in the opinion of the officer, that the costs are taxed, a saving of expense.

Witnesses.

21. The wreck commissioner shall have power to subpoena as nearly as may be in the form used in the Court of Justice, and such subpoenas shall have effect when served in any part of the United Kingdom.

Affidavits.

22. Affidavits may, by permission of the judge, be sworn to in any of the following places:—

In the United Kingdom, before the judge or registrar of the Court of Survey, or before a person authorised to administer oaths in the Supreme Court of Judicature, or before a commissioner empowered to take or receive oaths, or before a justice of the peace for the county where it is sworn or made.

In any place in the British dominions out of the United Kingdom, before any court, judge, or justice of the peace, or any person authorised to administer oaths in that court.

In any place out of the British dominions, before a minister, consul, vice-consul, or notary public, or before a judge or magistrate, his signature being authenticated by the official seal of the court to which such magistrate is attached.

Proceedings in Court.

23. At the hearing, the Board of Trade shall first call its witnesses, and having done so shall state in writing what orders they require the court to make.

24. The complainant, if he has appeared, shall call his witnesses, and having done so shall state in writing what orders he requires the court to make.

25. The appellant shall then call his witnesses, and having done so shall state in writing what order he requires the court to make.

26. After the appellant has examined all his witnesses, the Board of Trade and the complainant may, on cause shown to the satisfaction of the judge, call further witnesses in reply.

27. After all the witnesses have been examined, the court shall first hear the appellant, then the complainant (if any), and afterwards the Board of Trade.

28. The judge may adjourn the court from time to time and from place to place, as may be most convenient.

29. The judge may deliver the decision of the court either *viva voce* or in writing; and, if in writing, it may be sent or delivered to the respective parties, and it shall not be necessary to hold a court merely for the purpose of giving the decision.

30. As soon as possible after the court has come to its decision, the judge shall issue an order for the release or detention (either finally or on condition) of the vessel in the Form No. 4 in Appendix B.

31. The judge shall report to the Board of Trade in the Form No. 5 in Appendix B.

Costs and Damages.

32. The court may, if the parties consent thereto in writing, decide whether costs or costs and damages are due, and to and from whom, and may assess the amount thereof; or the parties may, by consent in writing, refer the question to the wreck commissioner.

33. The order for the payment of costs, or of costs and damages, shall be in the Form No. 6 in Appendix B.

Computation of Time.

34. In computing the number of days within which any act is to be done, the same shall be reckoned exclusive of the first day and inclusive of the last day, unless the last day shall happen to fall on a Sunday, Christmas Day, or Good Friday, or on a day appointed for a public fast or thanksgiving, in which case the time shall be reckoned exclusive of that day also.

35. The days between Thursday next before and the Wednesday next after Easter Day and Christmas Day, and the three following days, shall not be reckoned or included in the computation.

Service of Notices, &c.

36. Any notice, summons, or other document of the court may be served by post.

37. The service of any notice, summons, or document may be proved by the oath or affidavit of by whom it was served.

Table of Fees.

38. The fees, a table whereof is in Appendix be demanded and taken in any proceedings before a Survey.

Dated this 29th day of September, 1876.

Ca

Appendix A.

Lists of the Courts of Survey, with the districts assigned to persons authorised to act as Judges and registrars there by one of Her Majesty's principal Secretaries of State.

In the following Lists, Column No. 1 contains the names of the Courts of Survey in the United Kingdom.

Districts.

The district of the Court of Survey for London shall include the district of London, and the districts of all the Metropolitan County districts of the County Court of Kent holden at Gravesend, Greenwich and Woolwich, the districts of the County Court of Middlesex holden at Brentwood and Romford, and the district of the County Court of Surrey holden at Wandsworth.

The district of any other Court of Survey in England shall be the district of the County Court of the place, at which the Court is held.

The district of a Court of Survey in Scotland and in Ireland shall be the district of the Port of Customs of the place, at which the Court is held.

The courts shall be held at the places, whose names are set out in Column No. 2, at any place within their respective districts, and may, by the order of the judge, be adjourned to any place out of such districts.

Judges.

The Wreck Commissioner shall be a Judge of every Court of Survey in the United Kingdom.

The persons, whose official titles are set out in Column No. 3, shall be the other judges of the Courts of Survey at the places appointed in Column No. 2, or at the places where their names occur.

Registrars.

The registrar of the Court of Survey for London shall be Mr. William Edward Stanley Thomson, and his office shall be at Somerset House, Strand, in the county of Middlesex.

The registrar of any other Court of Survey in England shall be the registrar of the County Court of the place at which the Court of Survey is held, and his office shall be the office of the registrar of the said County Court.

The registrar of a Court of Survey in Scotland shall be the sheriff clerk of the county in which the court is held, and his office shall be the office of the said sheriff clerk.

The registrar of a Court of Survey in Ireland shall be the clerk of the peace, or registrar or other person discharging the duties of registrar of the court of the chairman of the county in which the Court is held, and his office shall be the office of the clerk of the peace, registrar, or other person aforesaid.

List No. 1.

Courts of Survey in England.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey at the Places opposite to which their Names occur.
Berwick - - - -	{ The Judges of the County Courts in Circuits 1 and 2. The recorder of Berwick.
Belford - - - -	
Alnwick - - - -	
Morpeth - - - -	
North Shields - - - -	{ The Judges of the County Courts in Circuits 1 and 2. The stipendiary magistrate at South Shields. The recorders of Durham and Newcastle.
Newcastle - - - -	
Gateshead - - - -	
South Shields - - - -	
Sunderland - - - -	
Seaham Harbour - - - -	{ The Judges of the County Courts in Circuits 2 and 15. The stipendiary magistrate at Middlesbrough. The recorder of Hartlepool.
Hartlepool - - - -	
Stockton - - - -	
Stokesley - - - -	{ The Judge of the County Court in Circuit 16. The stipendiary magistrate at Hull. The recorders of Hull and Scarborough.
Whitby - - - -	
Scarborough - - - -	
Bridlington - - - -	
Beverley - - - -	
Hedon - - - -	
Hull - - - -	
Goole - - - -	{ The Judges of the County Courts in Circuits 16 and 18.
Barton-on-Humber - - - -	
Great Grimsby - - - -	{ The Judge of the County Courts in Circuit 17.
Louth - - - -	
Spilsby - - - -	
Boston - - - -	
Spalding - - - -	
Holbeach - - - -	{ The Judge of the County Courts in Circuits 17, 32, and 35.
Wisbech - - - -	

Court of Survey Rules :—Appendix

Column No. 1.	Column No.
Court of Survey for	Judges of the Courts of Sessions opposite to which their
King's Lynn . . . Little Walsingham . . . Holt . . . North Walsham . . .	} The Judge of the County 32. } The recorder of King's Lynn
Yarmouth . . . Lowestoft . . .	} The Judge of the County 32 and 33. } The recorders of Orford Yarmouth.
Halesworth . . . Framlingham . . . Woodbridge . . .	} The Judge of the County 33. } The recorders of Aldborough
Ipswich . . . Harwich . . .	} The Judge of the County 33 and 38. } The recorder of Ipswich.
Colchester . . . Maldon . . . Rochford . . .	} The Judge of the County 38. } The recorders of Colchester
London . . .	} The magistrates of the Metropolitan Courts.
Rochester . . . Sheerness . . . Sittingbourne . . . Faversham . . .	} The Judge of the County 48. } The Stipendiary magistrate The recorders of Faversham
Canterbury . . . Margate . . . Ramsgate . . . Sandwich . . . Deal . . . Dover . . . Folkestone . . . Hythe . . . Romney . . .	} The Judges of the County Courts 48 and 49. } The Judge of the Admiralty Cinque Ports. } The recorders of Canterbury, Folkestone, Hythe, Margate, Tenterden.
Rye . . . Hastings . . .	} The Judge of the County 50. } The Judge of the Admiralty Cinque Ports. } The recorder of Rye.
Lewes . . . Brighton . . . Worthing . . .	} The Judges of the County Courts 50 and 51. } The stipendiary magistrate The recorders of Brighton and
Arundel . . . Chichester . . . Portsmouth . . .	} The Judge of the County Courts 50 and 51. } The recorders of Chichester, Winchester.
Southampton . . . Newport, Isle of Wight . . . Christchurch . . . Poole . . . Wareham . . .	} The Judges of the County Courts 51 and 55. } The recorders of Poole, Wareham, and Winchester
Weymouth . . . Bridport . . .	} The Judge of the County Courts 55.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey at the Places opposite to which their Names occur.
Axminster - - - Honiton - - - Exeter - - - Newton Abbot - - -	} The Judge of the County Courts in Circuits 57 and 58. } The recorder of Exeter.
Totnes - - - Kingsbridge - - -	} The Judge of the County Courts in Circuit 58. } The recorder of Dartmouth.
East Stonehouse - - - Liskeard - - -	} The Judges of the County Courts in Circuits 58 and 59. } The recorders of Devonport, Plymouth, and Tiverton.
Saint Austell - - - Truro - - - Falmouth - - - Helston - - - Penzance - - - Bedruth - - - Bodmin - - - Camelford - - - Holsworthy - - -	} The Judge of the County Courts in Circuit 59. } The recorders of Falmouth, Helston, and Penzance.
Bideford - - - Barnstaple - - - Williton - - -	} The Judge of the County Courts in Circuit 57. } The recorders of Barnstaple and Bideford.
Bridgewater - - - Weston-super-Mare - - - Wells - - - Bristol - - -	} The Judges of the County Courts in Circuits 54 and 57. } The recorders of Bristol and Wells.
Thornbury - - - Dursley - - -	} The Judges of the County Courts in Circuits 53 and 54.
Gloucester - - - Newnham - - - Chepstow - - -	} The Judges of the County Courts in Circuits 24 and 54. } The recorder of Gloucester.
Newport (Monmouth) - - - Cardiff - - - Bridgend - - - Neath - - - Swansea - - -	} The Judges of the County Courts in Circuits 24, 30, and 31. } The stipendiary magistrates at Cardiff and Swansea.
Llanelli - - - Carmarthen - - - Narbeth - - - Pembroke - - - Haverfordwest - - - Cardigan - - - Aberayron - - -	} The Judge of the County Courts in Circuit 31. } The recorder of Carmarthen.
Aberystwith - - - Machynlleth - - - Dolgelly - - - Portmadoc - - - Pwllheli - - -	} The Judge of the County Courts in Circuit 32.

Court of Survey Rules:—Appendix A.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey a opposite to which their Nam
Carnarvon - - - -	} The Judge of the County Court 29. The recorder of Chester.
Llangefni - - - -	
Bangor - - - -	
Conway - - - -	
St. Asaph - - - -	
Holywell - - - -	
Chester - - - -	
Runcorn - - - -	} The Judges of the County Court 6 and 7. The stipendiary magistrate at L The stipendiary magistrate at B Judge of Court of Passage. The recorder of Liverpool.
Birkenhead - - - -	
Liverpool - - - -	
Ormakirk - - - -	} The Judges of the County Court 6.
Preston - - - -	} The Judge of the County Court 4. The recorder of Preston.
Kirkham - - - -	
Poulton-le-Fylde - - - -	
Lancaster - - - -	
Ulverston - - - -	} The Judge of the County Court 3. The recorder of Carlisle.
Whitehaven - - - -	
Cockermouth - - - -	
Wigton - - - -	
Carlisle - - - -	

List No. 2.

Courts of Survey in Scotland.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey a opposite to which their Nam
Leith - - - -	Sheriff and sheriff substitutes of Haddington, and Linlithgow.
Granton - - - -	Sheriff and sheriff substitutes of Haddington, and Linlithgow.
Borrowstones - - - -	Sheriff and sheriff substitutes of and Stirling.
Grangemouth - - - -	Sheriff and sheriff substitutes of and Stirling.
Alloa - - - -	Sheriff and sheriff substitutes Clackmannan, and Perthshire.
Kirkcaldy - - - -	Sheriff and sheriff substitutes and Perthshire.
Dundee - - - -	Sheriff and sheriff substitutes o Forfarshire, and Kincardine.
Arbroath - - - -	Sheriff and sheriff substitutes o Forfarshire and Kincardine.
Montrose - - - -	Sheriff and sheriff substitutes o Forfarshire, and Kincardine.
Aberdeen - - - -	Sheriff and sheriff substitutes of and Kincardine.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey at the Places opposite to which their Names occur.
Peterhead - - -	Sheriff and sheriff substitutes of Kincardine, Banffshire, and Aberdeenshire.
Banff - - -	Sheriff and sheriff substitutes of Aberdeenshire, Banffshire, and Elgin.
Inverness - - -	Sheriff and sheriff substitutes of Nairn, Inverness-shire, and Rosa.
Wick - - -	Sheriff and sheriff substitutes of Caithness and Sutherland.
Campbeltown - - -	Sheriff and sheriff substitutes of Argyllshire.
Glasgow - - -	Sheriff and sheriff substitutes of Lanarkshire, Renfrewshire, and Dumbarton.
Greenock - - -	Sheriff and sheriff substitutes of Lanarkshire, Renfrewshire, and Ayrshire.
Ardrossan - - -	Sheriff and sheriff substitutes of Renfrew and Ayrshire.
Ayr - - -	Sheriff and sheriff substitutes of Ayrshire, Renfrewshire, and Wigtownshire.
Stranraer - - -	Sheriff and sheriff substitutes of Ayrshire, Wigtown, and Kirkcudbright.
Wigtown - - -	Sheriff and sheriff substitutes of Ayrshire, Wigtown, and Kirkcudbright.
Dumfries - - -	Sheriff and sheriff substitutes of Dumfries and Kirkcudbright.

List No. 3.

Courts of Survey in Ireland.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey at the Places opposite to which their Names occur.
Dublin - - -	The recorder of Dublin. Resident magistrates and chairman of quarter session for co. Dublin.
Drogheda - - -	Resident magistrates and chairmen of the cos. of Louth and Meath.
Dundalk - - -	Resident magistrates and chairman of co. of Louth.
Newry - - -	Resident magistrates and chairmen of cos. of Armagh and Down.
Belfast - - -	The recorder of Belfast. Resident magistrates and chairman of quarter sessions for co. of Antrim.
Coleraine - - -	Resident magistrates and chairman of co. of Londonderry.
Londonderry - - -	The recorder of Londonderry. Resident magistrates and chairman of quarter sessions for co. of Londonderry.
Sligo - - -	Resident magistrates and chairman of co. of Sligo.
Ballina - - -	Chairman of quarter sessions of Co. Mayo. Resident magistrate.
Westport - - -	Chairman of co. Mayo.
Galway - - -	The recorder of Galway, resident magistrates and chairman of co Galway.

Court of Survey Rules:—Appendix B.

Column No. 1.	Column No. 2.
Court of Survey for	Judges of the Courts of Survey at opposite to which their Name
Limerick - - - -	Resident magistrates, chairman of and Limerick.
Tralee - - - -	Chairman of co. Kerry.
Skibbereen - - -	Chairman of co. Cork.
Cork - - - -	The recorder of Cork, resident mag chairman of quarter sessions.
Youghal - - - -	Chairman of co. Cork.
Waterford - - -	Resident magistrates, chairman of ford.
New Ross - - - -	Chairman of cos. Wexford and Ki
Wexford - - - -	Resident magistrate, chairman of ford.

Appendix B.

The following forms shall be employed, as far as possible. alterations as circumstances may require, but no deviation from prescribed forms shall invalidate the proceedings unless the Judge of opinion that the deviation was material.

No. 1.

Notice of Appeal.

The Merchant Shipping Acts, 1854 to 1876.

In the matter of the ship "Marian."

To the registrar of the Court of Survey for

Take notice that I [*name and address*] the master [*or manager or owner of* shares] of the ship of the port of do appeal

(1) from the report of *L.N.*, the surveyor appointed by the Trade to survey the said ship.

or (2) from a declaration given by a surveyor or engineer (or from the refusal of a shipwright surveyor or engineer to give a declaration,) under provisions of Section 309 of the Merchant Shipping Act, 1854.

or (3) from the refusal of an emigration officer (*case may be*) to give a certificate of clearance under Sections 1 of the Passengers Act, 1855.

or (4) from the refusal of an appoint Board of Trade under the provisions of Section 30 of the Shipping Act Amendment Act, 1862, to give a certificate that the ship is properly provided with lights and with the means of signals.

The address at which all notices and documents may be served or otherwise on me is

Dated this day of

(To be signed by the

No. 2.

Summons to Court.

The Merchant Shipping Acts, 1854 to 1876.

The Court of Survey for

In the matter of an appeal by _____ from the report of *L.M.*,
the surveyor appointed by the Board to survey the "*Marian*" [*or as the*
case may be].

In pursuance of the Merchant Shipping Act, 1876, I hereby summon you
to attend as judge [*or assessor*] on this appeal, at _____ on
the _____ day of _____ at the hour of _____ in the
noon.

Dated this _____ day of _____ 187 .
Registrar.

I will attend as summoned.
Signature of person summoned.

No. 3.

Notice of Sitting of Court of Survey.

The Merchant Shipping Acts, 1854 to 1876.

The Court of Survey for

In the matter of an appeal by _____ from the report of *L.M.*,
the surveyor appointed by the Board of Trade to survey the "*Marian*" [*or*
as the case may be].

To *A.B.*, the master [*or managing owner, or owner of* _____ shares] of
the ship _____ the appellant [*or the Board of*
Trade].

Take notice that the Court of Survey will meet at _____ on
the _____ day of _____ 187 ,
at _____ o'clock in the _____ noon to hear the appeal in the
above matter.

Dated this _____ day of _____ 187 .
Registrar.

No. 4.

Order of Court for Release or Detention of Ship.

The Merchant Shipping Acts, 1854 to 1876.

The Court of Survey for

In the matter of an appeal by _____ from the report of *L.M.*, the
surveyor appointed by the Board of Trade to survey the "*Marian*" [*or*
as the case may be].

I _____ do, with the concurrence of _____, order
the said ship to be released *or* detained [finally *or* conditionally upon
_____].

Given under my hand this _____ day of _____ 18 .
Judge.

We [*or I*] concur in the above report.

Assessor.

Assessor.

Court of Survey Rules:—Appendix C.

No. 5.

Report of Judge of Court of Survey.

The Merchant Shipping Acts, 1854 to 1876.

The Court of Survey for

In the matter of an appeal by _____ from the report of
surveyor appointed by the Board of Trade to survey the "*Maria*
the case may be].

I _____ do report that, having heard this appeal,
the concurrence of _____ order the said ship to
or detained [finally *or* conditionally upon _____] for the
forth in the annexed statement.

I am also of opinion that the costs of this appeal should be pa
to the solicitor of the Board of Trade [*or* by the solicitor to the
Trade to *A.B.* ; *or* that all parties shall pay their own costs].

Dated this _____ day of _____ 18 ____ .

We [*or* I] concur in the above report.

Assessor.

Assessor.

No. 6.

Order for Payment of Costs, or of Costs and Damages.

The Merchant Shipping Acts, 1854 to 1876.

The Court of Survey for

In the matter of an appeal by _____ from _____
[The parties to this appeal having, by agreement in writing,
to refer the question whether any costs or costs and damages are
to and from whom, to me *or* us, with liberty to assess the amount
I order—

(1) that the Board of Trade do pay to the appellant the sum _____
for the costs [*or* the costs and damages] incurred by reason of su
tion and survey.

or (2) that the appellant do pay to the solicitor of the Board
the sum of _____ for the costs incurred by reason of the det
survey of the said ship.

or (3) that each party pays his own costs.

Given under my hand this _____ day of _____ 18 ____ .

We [*or* I] concur in the above order.

Assessor.

Assessor.

** Appendix C.*

	£	s.	d.
On filing notice of appeal, for every 50 tons of the gross registered tonnage of the ship - - - - -	-	0	10 0
On filing every affidavit - - - - -	-	0	2 6
On entering appearance - - - - -	-	0	10 0
On every subpoena - - - - -	-	0	2 6
On every statement of the order required to be made by the court - - - - -	-	0	10 0
On the production and swearing of every witness - - - - -	-	0	2 6
On every consent by the parties to refer the question of costs, or of costs and damages, to the court or judge, to be paid by each party - - - - -	-	0	10 0
On every hearing, for each day, to be paid by each party, } from the amount thereof to be at the discretion of the judge } to	1	0	0
On every order whether for the release or detention of the ship, or for payment of costs, or costs and damages to be paid by the party taking out the order - - - - -	1	0	0
On every office copy of the judge's judgment or report, of the shorthand writer's notes of the evidence, or of any of the proceedings in the appeal, per folio of 72 words - - - - -	0	0	6

FURTHER RULES, DATED JANUARY 11, 1877, FOR COURTS
OF SURVEY.

The Merchant Shipping Act, 1876.†

Whereas by the 9th section of the Merchant Shipping Act, 1876,† it is provided that the Lord Chancellor of Great Britain may from time to time, with the consent of the Treasury, so far as relates to fees, make, and when made, revoke, alter, and add to General Rules to carry into effect the provisions of that Act, with respect to a Court of Survey, and in particular, amongst other things, with respect to the amount and application of the fees to be received therein :

And whereas it is expedient, with a view to the proper application of the fees to be received in Courts of Survey, to provide for their collection by means of stamps :

Now, therefore, I the Right Honourable Hugh MacCalmont, Baron Cairns, Lord High Chancellor of Great Britain, with the consent of the Treasury, do order as follows :

1. The fees set forth in Appendix C.‡ to the General Rules established for Courts of Survey in the United Kingdom,

* As to the taking of these Fees by Stamps, see Order of January 11, 1877, printed below.

† 39 & 40 Vict. c. 80 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

‡ Printed above.

bearing date the 29th September, 1876, shall be taken in stamps, to be impressed, so far as may be possible, on the documents to which they refer, such impressed stamps to be obtained from the Commissioners of Inland Revenue in London, or from their stamp distributors.

2. Immediately on the termination of an appeal before a Court of Survey elsewhere than in London, the registrar of the Court shall forward to the registry of the Court of Survey for London, at Somerset House, London, for deposit therein, all the papers, stamped and unstamped, belonging to the said appeal.

Dated this 11th day of January, 1877.

Cairns, C.

We approve, so far as relates to fees.

Row. Winn.

J. D. H. Elphinstone.

(iii.) Regulations for Preventing Collisions at Sea.

The following list gives references to the pages at which the Orders applying the Regulations of 1879, 1884, and 1896 respectively, to the ships of various Nations are printed:—

British Ships, pp. 257, 275	France, pp. 263, 285	Norway, pp. 268, 285
Argentine Republic, p. 285	Germany, pp. 246, 285	Peru, p. 285
Austria-Hungary, pp. 246, 285	Greece, pp. 267, 285	Portugal, pp. 267, 285
Belgium, pp. 246, 285	Guatemala, p. 285	Russia, pp. 246, 285
Brazil, pp. 268, 285	Hawaii, p. 254	Siam, p. 285
Chile, pp. 272, 285	Italy, pp. 267, 285	Spain, pp. 246, 285
China, p. 285	Japan, pp. 254, 285	Sweden, pp. 268, 285
Cochin, p. 252	Kattyawar, p. 252	Travancore, p. 252
Costa Rica, p. 285	Khelat, p. 252	Turkey, p. 271
Denmark, p. 285	Kuch, p. 252	United States, pp. 246, 285
Ecuador, pp. 254, 285	Mexico, p. 285	Zanzibar, p. 252
Egypt, p. 285	Muscat, p. 252	
	Netherlands, pp. 246, 285	

ORDER IN COUNCIL APPROVING REGULATIONS FOR PREVENTING COLLISIONS AT SEA TO BE SUBSTITUTED FOR THOSE IN SCHEDULE C. OF THE MERCHANT SHIPPING ACT, 1862.*

At the Court at Osborne House, Isle of Wight, the 14th day of August, 1879.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas, by "The Merchant Shipping Act Amendment Act, 1862,"* it was enacted that on and after the first day of June, One thousand eight hundred and sixty-three, or such later day as might be fixed for the purpose by Order in Council, the Regulations contained in the table marked C in the schedule to the said Act should come into operation and be of the same force as if they were enacted in the body of the said Act; but that Her Majesty might from time to time, on the joint recommendation of the Admiralty and the Board of Trade, by Order in Council, annul or modify any of the said Regulations, or make new Regulations in addition thereto or in substitution therefor; and that any alterations in, or additions to, such Regulations made in manner aforesaid should be of the same force as the Regulations in the said schedule :

And whereas, by the same Act, it was further provided, that whenever it should be made to appear to Her Majesty that the Government of any foreign country was willing that regulations for preventing collisions contained in Table C. in the schedule to the said Act, or such other Regulations for preventing collisions as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty might, by Order in Council, direct that such Regulations should apply to the ships of the said foreign country, whether within British jurisdiction or not; and it was further provided by the said Act, that whenever an Order in Council had been issued applying any Regulation made by or in pursuance of the said Act to the ships of any foreign country, such ships should, in all cases arising in any British court, be deemed to be subject to such Regulation, and should, for the purpose of such Regulation, be treated as if they were British ships :

And whereas, by an Order in Council made in pursuance of the said recited Act, and dated the ninth day of January One thousand eight hundred and sixty-three,† Her Majesty was pleased to direct :—First that the Regulations contained in the schedule to the said Act should be modified by the

* 25 & 26 Vict. c. 63; now repealed and consolidated with other Acts by the Merchant Shipping Acts, 1894 (57 & 58 Vict. c. 60),

† Published in "London Gazette," January 13, 1863, p. 188.

substitution for such Regulations of certain Regulations appended to the said Order :

Secondly, that the said Regulations appended to the said Order should, on and after the first day of June, One thousand eight hundred and sixty-three, apply to French ships, within British jurisdiction or not :

And whereas, by several Orders in Council subsequently made, Her Majesty was pleased to direct that the Regulations appended to the said Order of the ninth of January, One thousand eight hundred and sixty-three* should apply to ships of the countries specified in the said Orders, within British jurisdiction or not :

And whereas, by Order in Council, dated the thirtieth day of July, One thousand eight hundred and sixty-eight, Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to make certain alterations to the Regulations appended to the said first-recited Order in Council, for the purpose of explaining Articles 11 and 12 of the said Regulations, and of removing doubt and misapprehension concerning the effect of the said two Articles :

And whereas the Admiralty and the Board of Trade jointly recommended to Her Majesty, that the Regulations contained in the Order in Council dated the ninth of January, One thousand eight hundred and sixty-three, and the additions to the said Regulations contained in the Order in Council of the thirtieth day of July, One thousand eight hundred and sixty-eight, shall be annulled on the first day of September, One thousand eight hundred and eighty, and that there shall be substituted for the said Regulations and additions respectively the new Regulations after set forth :

And whereas it has been made to appear to Her Majesty that the Governments of the several foreign countries mentioned in the second schedule hereto are respectively of opinion that the Regulations contained in the first schedule shall apply to ships of the said countries respectively within British jurisdiction or not :

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct :—

First, that on and after the first day of September, One thousand eight hundred and eighty the Regulations contained in the said Order in Council of the ninth day of January, One thousand eight hundred and sixty-three and the additions to the said Regulations contained in the said Order in Council of the thirtieth day of July, One thousand eight hundred and sixty-eight shall be annulled, and that there shall be

* Published in "London Gazette," January 13, 1863, p. 1.

† Published in "London Gazette," August 4, 1868, p. 1.

tuted for the said Regulation and additions respectively the new Regulations contained in the first schedule hereto.*

Second, that the said Regulations contained in the said first schedule hereto shall, from and after the first day of September, One thousand eight hundred and eighty, apply to ships of the countries mentioned in the said second schedule hereto† whether within British jurisdiction or not.

C. L. Peel.

First Schedule.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Preliminary.

Article 1.—In the following rules every steam ship which is under sail and not under steam is to be considered a sailing ship ; and every steam ship which is under steam, whether under sail or not, is to be considered a ship under steam.

Rules concerning Lights.

Article 2.—The lights mentioned in the following Articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no other, shall be carried in all weathers, from sunset to sunrise.

Article 3.—A seagoing steam ship when under way shall carry :

- (a) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass ; so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side ; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.
- (b) On the starboard side, a green light so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass ; so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side ; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (c) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass ; so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side ; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.

* By Order in Council of August 11, 1884 (printed at p. 257 below), new Regulations were substituted for these Regulations as far as regards British ships and boats, and these again were superseded by Regulations authorized by Order in Council of November 27, 1896 (printed at p. 275 below), which, however, left applicable Art. 10 of the Regulations of 1884.

† So far as regards the ships of certain of these countries, the Regulations approved by Order in Council of August 11, 1884 (printed at p. 257 below), were substituted for the Regulations in the first schedule, and so far as regards the rest, the Regulations approved by Order in Council of November 27, 1896 (printed at p. 275 below) have been substituted for the Regulations in the first Schedule, except that Art. 10 thereof remains applicable (see the notes in the second schedule, p. 252 below).

- (d) The said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Article 4.—A steam ship, when towing another ship, shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than three feet apart, so as to distinguish her from other steam ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steam ships are required to carry.

Article 5.—A ship, whether a steam ship or a sailing ship, when employed either in laying or in picking up a telegraph cable, or which from any accident is not under command, shall at night carry in the same position as the white light which steam ships are required to carry, and, if a steam ship in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line one over the other, not less than three feet apart : and shall by day carry in a vertical line one over the other, not less than three feet apart, in front of but not lower than her foremast head, three black balls or shapes, each two feet in diameter.

These shapes and lights are to be taken by approaching ships as signals that the ship using them is not under command, and cannot therefore get out of the way.

The above ships, when not making any way through the water, shall not carry the side lights, but when making way shall carry them.

Article 6.—A sailing ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam ship under way, with the exception of the white light, which she shall never carry.

Article 7.—Whenever, as in the case of small vessels during bad weather, the green and red side lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for use : and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Article 8.—A ship, whether a steam ship or a sailing ship, when at anchor shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon, at a distance of at least one mile.

Article 9.—A pilot vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

Article 10.—(a) Open fishing boats and other open boats when under way shall not be obliged to carry the side lights required for other vessels ; but every such boat shall in lieu thereof have ready at hand a lantern with a green glass on the one side and a red glass on the other side ; and on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

(b) A fishing vessel, and an open boat, when at anchor, shall exhibit a bright white light.

(c) A fishing vessel, when employed in drift net fishing, shall carry on one of her masts two red lights in a vertical line one over the other, not less than three feet apart.

(d) A trawler at work shall carry on one of her masts two lights in a vertical line one over the other, not less than three feet apart, the upper light red, and the lower green, and shall also either carry the side lights required for other vessels, or, if the side lights cannot be carried, have ready at hand the coloured lights as provided in Article 7, or a lantern with a red and green glass as described in paragraph (a) of this Article.

(e) Fishing vessels and open boats shall not be prevented from using a flare-up in addition, if they desire to do so.

(f) The lights mentioned in this Article are substituted for those mentioned in the 12th, 13th, and 14th Articles of the convention between France and England scheduled to the British Sea Fisheries Act, 1868.

(g) All lights required by this Article, except side lights, shall be in globular lanterns so constructed as to show all round the horizon.

Article 11.—A ship which is being overtaken by another shall show from her stern to such last mentioned ship a white light or a flare-up light.

Sound Signals for Fog, &c.

Article 12.—A steam ship shall be provided with a steam whistle or other efficient steam sound signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog horn to be sounded by a bellows or other mechanical means, and also with an efficient bell. A sailing ship shall be provided with a similar fog horn and bell.

In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows; that is to say,

- (a) A steam ship under way shall make with her steam whistle, or other steam sound signal, at intervals of not more than two minutes, a prolonged blast.
- (b) A sailing ship under way shall make with her fog horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (c) A steam ship and a sailing ship when not under way shall, at intervals of not more than two minutes, ring the bell.

Speed of Ships to be moderate in Fog, &c.

Article 13.—Every ship whether a sailing ship or steam ship, shall in a fog, mist, or falling snow, go at a moderate speed.

Steering and Sailing Rules.

Article 14.—When two sailing ships are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows, viz. :—

- (a) A ship which is running free shall keep out of the way of a ship which is close-hauled.
- (b) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.
- (c) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.
- (d) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.
- (e) A ship which has the wind aft shall keep out of the way of the other ship.

Collisions :—Rules of 1879.

Article 15.—If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course so as to pass on the port side of the other.

This Article only applies to cases where ships are meeting or nearly end on, in such a manner as to involve risk of collision, and apply to two ships which must, if both keep on their respective courses, be clear of each other.

The only cases to which it does apply are, when each of the ships is end on, or nearly end on, to the other ; in other words, to cases in which, by day, each ship sees the masts of the other in a line in a line, with her own ; and by night, to cases in which each ship is in such a position as to see both the side lights of the other.

It does not apply by day, to cases in which a ship sees another crossing her own course ; or by night, to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other, or a red light without a green light, or a green light without a red light, or where both green and red lights are seen but ahead.

Article 16.—If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

Article 17.—If two ships, one of which is a sailing ship, and the other a steam ship, are proceeding in such directions as to involve risk of collision, the steam ship shall keep out of the way of the sailing ship.

Article 18.—Every steam ship, when approaching another ship so as to involve risk of collision, shall slacken her speed or stop and anchor, if necessary.

Article 19.—In taking any course authorized or required by these rules, a steam ship under way may indicate that course to other ships which she has in sight by the following signals on her steam whistle :—

One short blast to mean "I am directing my course to starboard."

Two short blasts to mean "I am directing my course to port."

Three short blasts to mean "I am going full speed astern."

The use of these signals is optional ; but if they are used, the ship must be in accordance with the signal made.

Article 20.—Notwithstanding anything contained in any preceding rule, every ship, whether a sailing ship or a steam ship, overtaking another shall keep out of the way of the overtaken ship.

Article 21.—In narrow channels every steam ship shall, when it is practicable, keep to that side of the fairway or midchannel which is the starboard side of such ship.

Article 22.—Where by the above rules one of two ships is to keep out of the way, the other shall keep her course.

Article 23.—In obeying and construing these rules due regard shall be paid to all dangers of navigation ; and to any special circumstances which may render a departure from the above rules necessary in order to avoid danger.

No Ship, under any Circumstances, to neglect proper Precaution

Article 24.—Nothing in these rules shall exonerate any ship, or the master, or crew thereof, from the consequences of any neglect of lights or signals, or of any neglect to keep a proper look-out, or neglect of any precaution which may be required by the ordinary rules of seamanship, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Article 25.—Nothing in these rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbour, river, or inland navigation.

Special Lights for Squadrons and Convoys.

Article 26.—Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy.

Second Schedule.

[Austria-Hungary].*	[Italy].†
[Belgium].*	[Netherlands].*
[Chili].†	[Norway].**
[Denmark].‡	[Portugal].†
[France].§	[Russia].*
[Germany].*	[Spain].*
[Great Britain].||	[Sweden].**
[Greece].†	[United States].*

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1879, WITH THE EXCEPTION OF ARTICLE 10, TO SHIPS BELONGING TO KHELAT, MUSCAT, ZANZIBAR, COCHIN, TRAVANCORE, KUTCH, AND KATTYAWAR.

At the Court at Balmoral, the 6th day of September, 1880.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follow the third, fourth, and fifth recitals to the Order in Council of August 14, 1879, printed at p. 246 above].

* This Order in Council was annulled, with the exception of Article 10 of the Regulations in the first schedule, so far as regards ships and boats of Austria-Hungary, Belgium, Germany, Netherlands, Russia, Spain, and the United States, by that of July 7th, 1897, printed at p. 285 below.

† This Order in Council was annulled so far as regards Chilean ships and boats by that of September 17th, 1885, printed at p. 272 below.

‡ This Order in Council was annulled, with the exception of Art. 10 of the Regulations in the first schedule, so far as regards Danish ships by an Order of November 17th, 1888, printed in Statutory Rules and Orders Revised (1st Edition), Vol. 4. p. 1195. The Order of 1888 was superseded by the Order of July 7, 1897, printed at p. 283 below.

§ This Order in Council was annulled so far as regards French ships and boats by that of September 9th 1884, printed at p. 263 below.

|| This Order in Council was annulled so far as regards British ships and boats by that of August 11th, 1884, printed at p. 257 below.

† This Order in Council was annulled so far as regards Greek, Portuguese, and Italian ships and boats by that of December 30th, 1884, printed at p. 267 below.

** This Order in Council was annulled so far as regards Swedish and Norwegian ships and boats by that of May 19th, 1885, printed as p. 268 above.

Collisions:—Application of 1879 Rules to Ship
of certain Countries.

And whereas, by Order in Council dated the fourtee of August, One thousand eight hundred and seveny: Her Majesty has been pleased to direct that on and a first day of September, One thousand eight hund eighty, the said regulations and the additions there be annulled, and that there should be substituted ther new regulations contained in the first schedule ther that the same shall from and after the said first September, One thousand eight hundred and eighty a ships of the countries mentioned in the second a thereto, whether within British jurisdiction or not:

And whereas it has been made to appear to Her that the following Governments; that is to say:—

The Government of Kelhat;

„	„	Muscat;
„	„	Zanzibar;
„	„	Cochin;
„	„	Travancore;
„	„	Kutch; and
„	„	Kattyawar,

are willing that from and after the said first day of Se One thousand eight hundred and eighty the said new tions, a copy whereof is hereunto appended, contain first schedule of the said recited Order in Council fourteenth day of August, One thousand eight hun seventy-nine,* shall, with the exception of Article 10 apply to ships belonging to their respective countri beyond the limits of British jurisdiction:

Now, therefore, Her Majesty, by virtue of th vested in Her by the said recited Act, and by and advice and consent of Her Privy Council, is pleased to

That from and after the first day of Septem thousand eight hundred and eighty the said new req for preventing collisions at sea, a copy whereof is appended, contained in the first schedule of the sai Order in Council of the fourteenth day of August, C thousand eight hundred and seventy-nine,* shall, exception of Article 10 thereof, apply to ships belo the following countries; that is to say:—

Khelat;	Travancore;
Muscat;	Kutch; and
Zanzibar;	Kattyawar,
Cochin;	

whether within British jurisdiction or not.

C. 1

REGULATIONS for preventing COLLISIONS at SEA re in the foregoing Orders.

[These Regulations are printed at pp. 248–253 abc

* Printed at p. 246 above.

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1879, TO SHIPS BELONGING TO [Brazil,]* [ECUADOR,]† HAWAII,‡ [JAPAN,]† [and Turkey].§

At the Court at Windsor, the 27th day of November, 1880.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follow the third and fourth recitals to the Order in Council of August 14, 1879, printed at p. 246 above.

And whereas by Order in Council dated the thirtieth day of July, One thousand eight hundred and sixty-eight,¶ Her Majesty was pleased to make certain additions to the regulations appended to the first said recited Order in Council :

And whereas by Order in Council dated the fourteenth day of August, One thousand eight hundred and seventy-nine,¶ Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade was pleased to direct that on and after the first day of September, One thousand eight hundred and eighty, the said regulations and the additions thereto should be annulled, and that there should be substituted therefor the new regulations contained in the first schedule thereto, and that the same should, from and after the first day of September, One thousand eight hundred and eighty, apply to ships belonging to the following countries ; that is to say :—

[Austria-Hungary] ;	[Italy] ;
[Belgium] ;	[Netherlands] ;
[Chili] ;	[Norway] ;
[Denmark] ;	[Portugal] ;
[France] ;	[Russia] ;
[Germany] ;	[Spain] ;
[Great Britain] ;	[Sweden] ; and
[Greece] ;	[United States],

whether within British jurisdiction or not :

And whereas by Order in Council dated the twenty-fourth day of March, One thousand eight hundred and eighty,** Her

* So far as regards Brazil this Order in Council was annulled by that of May 19, 1885, printed at p. 268 below.

† So far as regards Ecuador and Japan this Order in Council was annulled, except Article 10 of the Registers thereof, by that of July 7, 1897, printed at p. 285 below.

‡ The Hawaiian Islands were annexed by the United States, August 12, 1898.

§ So far as regards Turkey this Order in Council was annulled by that of July 9, 1885, printed at p. 271 below.

¶ Published in "London Gazette," August 4, 1868, p. 4307.

¶ Printed at p. 246 above.

** Published in "London Gazette," April 9, 1880, p. 2434. This Order, which postponed the operation of Art. 10 of the Rules of 1879 until September 1, 1881, is spent.

Majesty on the joint recommendation of the Admiralty and the Board of Trade was pleased to direct that the operation of the Article numbered 10 of the new regulations contained in the first schedule of the said Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine, should be suspended until the first day of September, One thousand eight hundred and eighty-one, and that in lieu thereof, and in substitution therefor, the Article numbered 9 of the regulations appended to the said Order in Council of the ninth day of January, One thousand eight hundred and sixty-three shall continue and remain in force until the said first day of September, One thousand eight hundred and eighty-one :

And whereas by Order in Council dated the sixth day of September, One thousand eight hundred and eighty,* Her Majesty on the joint recommendation of the Admiralty and the Board of Trade was pleased to direct that from and after the first day of September, One thousand eight hundred and eighty, the said new regulations for preventing collisions at sea contained in the first Schedule of the said recited Order in Council of the fourteenth day of August One thousand eight hundred and seventy-nine should, with the exception of the Article 10 thereof, apply to ships belonging to the following countries ; that is to say :—

Cochin,
Kattyawar,
Khelat,
Kutch.

Muscat,
Travancore ; and
Zanzibar,

whether within British jurisdiction or not :

And whereas it has been made to appear to Her Majesty that the Governments of the several foreign countries herein-after mentioned ; that is to say :—

The Government of	<i>Brazil</i> ,†
„	„ [Ecuador,]‡
„	„ Hawaii,
„	„ [Japan,]‡ and
„	„ <i>Turkey</i> .§

are respectively willing that from and after the first day of September, One thousand eight hundred and eighty, the said new regulations for preventing collisions at sea, a copy whereof is hereunto appended, contained in the first Schedule of the said recited Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine,|| shall, subject

* Printed at p. 252 above.

† So far as regards Brazil this Order in Council was annulled by that of May 19, 1885, printed at p. 268 below.

‡ So far as regards Ecuador and Japan this Order in Council was annulled, except Article 10 of the Regulations thereof, by that of July 7th 1897, printed at p. 285 below.

§ So far as regards Turkey this Order in Council was annulled by the Order in Council of July 9, 1885, printed at p. 271 below.

|| Printed at p. 246.

to the provisions of the said recited Order in Council of the twenty-fourth day of March, One thousand eight hundred and eighty, apply to ships belonging to their respective countries when beyond the limits of British jurisdiction :

[*And whereas the said Government of Japan . . .*].°

And whereas the said Government of Turkey [. . .].†

Now, therefore, Her Majesty by virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council is pleased to direct—

That from and after the first day of September, One thousand eight hundred and eighty, the said new regulations for preventing collisions at sea a copy whereof is hereunto appended, contained in the first schedule of the said recited Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine,‡ shall, subject to the provisions of the said recited Order in Council of the twenty-fourth day of March, One thousand eight hundred and eighty, § apply to ships belonging to the following countries; that is so say :—

Brazil,||
[*Ecuador*]*
Hawaii;

[*Japan*]* [and
Turkey].†

whether within British jurisdiction or not.

[*Provided, however, that as regards* (1) *Japanese*,* and
(2) *Turkish*† *ships*]

C. L. Peel.

REGULATIONS for preventing COLLISIONS at SEA referred to the foregoing Order.

[These Regulations are printed at pp. 248–252 above.]

* So far as regards Ecuador and Japan this Order in Council was annulled, except Art. 10 of the Regulations thereof, by that of July 7, 1897, printed at p. 285 below.

† So far as regards Turkey this Order in Council was annulled by the Order in Council of July 9, 1885, printed at p. 271 below.

‡ Printed at p. 246 above.

§ Published in "London Gazette" April 9, 1880, p. 2434. This Order, which postponed the operation of Art. 10 of the Rules of 1879 until September 1, 1881, is spent.

|| So far as regards Brazil this Order in Council was annulled by that of May 19, 1885, printed at p. 268 below, which was again superseded, except as regards Art. 10 (thereby applied) of the Regulations of 1884, by the Order of July 7, 1897, printed at p. 285 below.

ORDER IN COUNCIL SUBSTITUTING AS REGARDS BRITISH SHIPS
AND BOATS NEW REGULATIONS FOR PREVENTING COL-
LISIONS AT SEA FOR THOSE SCHEDULED TO THE ORDER
IN COUNCIL OF 1879.*

At the Court at Osborne House, Isle of Wight, the 11th
day of August, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862,† and dated the fourteenth day of August, One thousand eight hundred and seventy-nine,* Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that, on after the first day of September, One thousand eight hundred and eighty, the regulations for preventing collisions at sea contained in an Order in Council, dated the ninth day of January, One thousand eight hundred and sixty-three,‡ and the additions by an Order in Council dated the thirtieth day of June, One thousand eight hundred and sixty-eight,§ made thereto, should be annulled, and that there should be substituted therefor the new regulations contained in the First Schedule to the said first-named Order in Council, and that the same should, from and after the first day of September, One thousand eight hundred and eighty, apply to ships of the countries mentioned in the said Second Schedule thereto, whether within British jurisdiction or not :

And whereas by the Orders in Council dated respectively the twenty-fourth day of March, One thousand eight hundred and eighty,|| the twenty-sixth day of August,¶ One thousand eight hundred and eighty-one,‡ the eighteenth day of August, One thousand eight hundred and eighty-two,** the twenty-third day of August, One thousand eight hundred and eighty-three,†† and the second day of February, One thousand eight hundred and eighty-four,‡‡ Her Majesty was pleased to direct that the operation of the Article numbered 10 of the new regulations contained in the first schedule of the said Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine, should be suspended from time to time :

And whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty that, so far as regards

* Printed at p. 246 above ; and see foot note on p. 248.

† 25 & 26 Vict. c. 63 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 and 58 Vict. 60).

‡ Published in "London Gazette," January 13, 1863, p. 188.

§ Published in "London Gazette," August 4, 1868, p. 4307.

|| Published in "London Gazette," April 9, 1880, p. 2434.

¶ Published in "London Gazette," September 2, 1881, p. 4531.

** Published in "London Gazette," August 22, 1882, p. 3907.

†† Published in "London Gazette," August 28, 1882, p. 4211.

‡‡ Published in "London Gazette," February 8, 1884, p. 582.

British ships and boats, the regulations herein-after set forth shall be substituted for the regulations contained in the first schedule to the said Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine.*

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct that, on and after the first day of September, One thousand eight hundred and eighty-four, the regulations contained in the schedule hereto shall, so far as regards British ships and boats, be substituted for the regulations contained in the first schedule to the said Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine.*

C. L. Peel.

Schedule referred to in this Order.

Regulations for Preventing Collisions at Sea.

Article 1.—In the following Rules every steam ship which is under sail and not under steam is to be considered a sailing ship; and every steamship which is under steam, whether under sail or not, is to be considered a ship under steam.

Rules concerning Lights.

Article 2.—The lights mentioned in the following articles, numbered 3, 4, 5, 6, 7, 8, 9, 10, and 11, and no others, shall be carried in all weathers, from sunset to sunrise.

Article 3.—A seagoing steam ship when under way shall carry—

- (a) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.
- (b) On the starboard side a green light so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (c) On the port side a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (d) The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

* Printed at pp. 248-252.

Article 4.—A steam ship, when towing another ship, shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than three feet apart, so as to distinguish her from other steam ships. Each of these lights shall be of the same construction and character, and shall be carried in the same position, as the white light which other steam ships are required to carry.

Article 5.—(a) A ship, whether a steam ship or a sailing ship, which from any accident is not under command, shall at night carry, in the same position as the white light which steam ships are required to carry, and, if a steam ship, in place of that light, three red lights in globular lanterns, each not less than 10 inches in diameter, in a vertical line one over the other, not less than 3 feet apart, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles; and shall by day carry in a vertical line not over the other, not less than 3 feet apart, in front of but one lower than her foremast head, three black balls or shapes, each 2 feet in diameter.

(b) A ship, whether a steam ship or a sailing ship, employed in laying or in picking up a telegraph cable, shall at night carry in the same position as the white light which steam ships are required to carry, and, if a steamship, in place of that light, three lights in globular lanterns each not less than 10 inches in diameter, in a vertical line one over another, not less than 6 feet apart; the highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character that the red lights shall be visible at the same distance as the white light. By day she shall carry in a vertical line one over the other not less than 6 feet apart, in front of but not lower than her foremast head, three shapes not less than 2 feet in diameter, of which the top and bottom shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(c) The ships referred to in this article, when not making any way through the water, shall not carry the side lights, but when making way shall carry them.

(d) The lights and shapes required to be shown by this article are to be taken by other ships as signals that the ship showing them is not under command, and cannot therefore get out of the way. The signals to be made by ships in distress and requiring assistance are contained in Article 27.

Article 6.—A sailing ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam ship under way, with the exception of the white light, which she shall never carry.

Article 7.—Whenever, as in the case of small vessels during bad weather, the green and red side lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Article 8.—A ship, whether a steam ship or a sailing ship, when at anchor, shall carry, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light, in a globular lantern of not less than 8 inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon, at a distance of at least one mile.

Article 9.*—A pilot vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a

* By Order in Council, August 18, 1892, an addition was made to this article, (printed at p. 273 below.

flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

Article 10.—Open boats and fishing vessels of less than 20 tons net registered tonnage, when under way and when not having their nets, trawls, dredges, or lines in the water, shall not be obliged to carry the coloured side lights; but every such boat and vessel shall in lieu thereof have ready at hand a lantern with a green glass on the one side and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The following portion of this article applies only to fishing vessels and boats when in the sea off the coast of Europe lying north of Cape Finisterre :—

- (a) All fishing vessels and fishing boats of 20 tons net registered tonnage, or upwards, when under way and when not required by the following regulations in this article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.
- (b) All vessels when engaged in fishing with drift nets shall exhibit two white lights from any part of the vessel where they can be best seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet; and so that the horizontal distance between them measured in a line with the keel of the vessel shall not be less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character, and contained in lanterns of such construction as to show all round the horizon, on a dark night with a clear atmosphere, for a distance of not less than three miles.
- (c) A vessel employed in line fishing with her lines out shall carry the same lights as a vessel when engaged in fishing with drift nets.
- (d) If a vessel when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog signal for a vessel at anchor.
- (e) Fishing vessels and open boats may at any time use a flare-up in addition to the lights which they are by this article required to carry and show. All flare-up lights exhibited by a vessel when trawling, dredging, or fishing with any kind of drag net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her trawl, dredge, or drag net, they shall be exhibited from the bow.
- (f) Every fishing vessel and every open boat when at anchor between sunset and sunrise shall exhibit a white light visible all round the horizon at a distance of at least one mile.
- (g) In fog, mist, or falling snow, a drift net vessel attached to her nets and a vessel when trawling, dredging, or fishing with any kind of drag net, and a vessel employed in line fishing with her lines out, shall at intervals of not more than two minutes make a blast with her fog horn and ring her bell alternately.

Article 11.—A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flare-up light.

Sound Signals for Fog, &c.

Article 12.—A steam ship shall be provided with a steam whistle or other efficient steam sound signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog horn to be sounded by a bellows or other mechanical means, and also with an efficient bell.* A sailing ship shall be provided with a similar fog horn and bell.

* In all cases where the regulations require a bell to be used, a drum will be substituted on board Turkish vessels.

In fog, mist, or falling snow, whether by day or night, the signals described in this article shall be used as follows ; that is to say :—

- (a) A steam ship under way shall make with her steam whistle, or other steam sound signal, at intervals of not more than two minutes, a prolonged blast.
- (b) A sailing ship under way shall make with her fog horn, at intervals of not more than two minutes, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (c) A steam ship and a sailing ship, when not under way, shall at intervals of not more than two minutes ring the bell.

Speed of Ships to be moderate in Fog, &c.

Article 13.—Every ship, whether a sailing ship or steam ship, shall in a fog, mist, or falling snow, go at a moderate speed.

Steering and Sailing Rules.

Article 14.—When two sailing ships are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz. :—

- (a) A ship which is running free shall keep out of the way of a ship which is close-hauled.
- (b) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.
- (c) When both are running free with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.
- (d) When both are running free with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.
- (e) A ship which has the wind aft shall keep out of the way of the other ship.

Article 15.—If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This article only applies to cases where ships are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two ships is end on, or nearly end on to the other ; in other words, to cases in which, by day, each ship sees the masts of the other in a line, or nearly in a line, with her own ; and by night, to cases in which each ship is in such a position as to see both the side lights of the other.

It does not apply by day to cases in which a ship sees another ahead crossing her own course, or by night to cases where the red light of one ship is opposed to the red light of the other, or where the green light of one ship is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

Article 16.—If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

Article 17.—If two ships, one of which is a sailing ship and the other a steam ship, are proceeding in such directions as to involve risk of collision, the steam ship shall keep out of the way of the sailing ship.

Article 18.—Every steam ship, when approaching another ship, so as to involve risk of collision, shall slacken her speed or stop and reverse, if necessary.

Article 19.—In taking any course authorised or required by these regulations, a steam ship under way may indicate that course to any other ship which she has in sight by the following signals on her steam whistle, viz. :—

One short blast to mean "I am directing my course to starboard."

Two short blasts to mean "I am directing my course to port."

Three short blasts to mean "I am going full speed astern."

The use of these signals is optional, but if they are used the course of the ship must be in accordance with the signal made.

Article 20.—Notwithstanding anything contained in any preceding article, every ship, whether a sailing ship or a steam ship, overtaking any other shall keep out of the way of the overtaken ship.

Article 21.—In narrow channels every steamship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such ship.

Article 22.—Where by the above rules one of two ships is to keep out of the way, the other shall keep her course.

Article 23.—In obeying and construing these rules due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

No Ship, under any circumstances, to neglect proper Precautions.

Article 24.—Nothing in these rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbour and Inland Navigation.

Article 25.—Nothing in these rules shall interfere with the operation of a special rule duly made by local authority, relative to the navigation of any harbour, river, or inland navigation.

Special Lights for Squadrons and Convoys.

Article 26.—Nothing in these rules shall interfere with the operation of any special rules made by the government of any nation with respect to additional station and signal lights for two or more ships of war or for ships sailing under convoy.

Article 27.—When a ship is in distress and requires assistance from other ships or from the shore, the following shall be the signals to be used or displayed by her either together or separately, that is to say :—

In the daytime—

1. A gun fired at intervals of about a minute.
2. The International Code signal of distress indicated by N C.
3. The distant signal, consisting of a square flag, having either above or below it a ball, or anything resembling a ball.

At night—

1. A gun fired at intervals of about a minute.
2. Flames on the ship (as from a burning tar barrel, oil barrel, &c.).
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals.

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1884 TO SHIPS BELONGING TO FRANCE. *

At the Court at Balmoral, the 9th day of September, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first recital and the second recital to the words "jurisdiction or not" to the Order in Council of August 14th, 1879, printed at p. 246 above*]:

And whereas , [*Here follows the remainder of the second recital to the Order in Council of August 14th, 1879, printed at p. 246 above*]:

And whereas by an Order in Council made in pursuance of the said recited Act, and dated the eleventh day of August, One thousand eight hundred and eighty-four,† Her Majesty was pleased to direct that, on and after the first day of September, One thousand eight hundred and eighty-four, the regulations contained in the schedule thereto should, so far as regards British ships and boats, be substituted for the regulations then in force :

And whereas since the date of the above-named Order in Council, bearing date the eleventh day of August, One thousand eight hundred and eighty-four,† it has been made to appear to Her Majesty that the Government of the French Republic are willing that the said regulations appended to the said Order, shall apply to French ships when beyond the limits of British jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice and consent of Her Privy Council, is pleased to direct that the said regulations appended to the said Order in Council bearing date the eleventh day of August, One thousand eight hundred and eighty-four, and to this Order, shall, from the date hereof, apply to ships belonging to the said Republic of France, whether within British jurisdiction or not, and shall be substituted, as regards French ships and boats, for the regulations contained in the first schedule to the Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine.‡

C. L. Peel.

Schedule referred to in the foregoing Order.

Regulations for preventing Collisions at Sea, which will be in force on and after the 9th day of September, 1884.

[These Regulations are printed at pp. 248-252 above.]

* This Order in Council was annulled, except Article 10 of the regulations thereof, by that of July 7, 1897, printed at p. 285 below.

† Printed at p. 257 above.

‡ Printed at pp. 248-252 above.

ORDER IN COUNCIL MODIFYING THE SAILING RULES OF 1884
AS REGARDS BRITISH FISHING VESSELS AND BOATS ON
THE COAST OF EUROPE NORTH OF CAPE FINISTERRE.

At the Court at Osborne House, Isle of Wight, the 30th day
December, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862,* and dated the 11th day of August, 1884,† Her Majesty on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that on and after the 1st day of September, 1884, the regulations in the schedule thereto should, so far as regarded British ships and boats, be substituted for the regulations for preventing collisions at sea contained in the first schedule to the Order in Council made as aforesaid and dated the 14th day of August, 1879:‡

And whereas by the regulations contained in the schedule to the same Order in Council of the 11th day of August, 1884,† it is provided as follows, viz. :—

Article 3.—A seagoing steam ship when under way shall carry—

- (a) On or in front of the foremast, at a height above the hull of not less than 20 feet, and if the breadth of the ship exceeds 20 feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show an uniform and unbroken light over an arc on the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.
- (b) On the starboard side, a green light so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (c) On the port side, a red light so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to

* 25 & 26 Vict. c. 63., now repealed and consolidated with other Acts by the Merchant Shipping Act 1894 (57 & 58 Vict. c. 60.).

† Printed at p. 257 above.

‡ Printed at pp. 246–252 above.

throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.

- (d) The said green and red side lights shall be fitted with in-board screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Article 6.—A sailing ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steam ship under way, with the exception of the white light, which she shall never carry :

Article 10.

- (a) All fishing vessels and fishing boats of 20 tons net registered tonnage, or upwards, when under way and when not required by the following regulations in this article to carry and show the lights therein named, shall carry and show the same lights as other vessels under way.

And whereas the Admiralty and the Board of Trade have, in pursuance of the said recited Act, jointly recommended to Her Majesty that the regulations contained in the schedule to the said recited Order in Council of the 11th day of August, 1884,* shall as regards British fishing vessels and boats when in the sea off the coast of Europe, lying north of Cape Finisterre, be modified and added to in manner following; that is to say :—

That as regards steam vessels engaged in trawling, such vessels, if of 20 tons gross register tonnage or upwards; and having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, should, if they do not carry the lights required by the said recited Article 3 of the regulations aforesaid, be permitted to carry and show in lieu thereof and in substitution therefor, but not in addition thereto, whilst so engaged in trawling and having their trawls in the water, and not being stationary as aforesaid, other lights of the description set forth in Part I. of the schedule hereto; and that when under way, and not having their trawls in the water, they should carry and show the lights required by Article 3 above recited :

And that as regards sailing vessels, engaged in trawling, such vessels, if of 20 tons net register tonnage or upwards, and having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, should, if they do not carry the lights required by the recited Article 6 of the regulations aforesaid, be permitted to carry and show in lieu thereof and in substitution therefor, but not in addition thereto, whilst so engaged in trawling, and having their trawls in the water, and not being stationary as aforesaid, other lights of the

* Printed at pp. 258-262 above

description set forth in Part II. of the schedule hereto; and that when under way, and not having their trawls in the water, they should carry and show the lights required by Article 6 above recited.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Act, and by and with the advice of Her Privy Council, is pleased to direct that on and after the first day of January, 1885, the regulations contained in the schedule to the said recited Order in Council of the 11th day of August, 1884,* shall as regards British fishing vessels and boats when in the sea off the coast of Europe, lying north of Cape Finisterre, be modified and added to as follows, viz:—

As regards steam vessels engaged in trawling when under steam, such vessels, if of 20 tons gross register tonnage or upwards, and having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall between sunset and sunrise either carry and show the lights required by the said recited Article 3 of the regulations aforesaid, or shall carry and show in lieu thereof and in substitution therefor, but not in addition thereto, other lights of the description set forth in Part I of the schedule hereto:

As regards sailing vessels engaged in trawling, such vessels, if of 20 tons net register tonnage or upwards, and having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall between sunset and sunrise either carry and show the lights required by the said recited Article 6 of the regulations aforesaid, or shall carry and show in lieu thereof and in substitution therefor, but not in addition thereto, other lights of the description set forth in Part II. of the schedule hereto.

The red and green lights, which are by this Order permitted as aforesaid to be carried in lieu of the lights required by Articles 3 and 6 of the said recited regulations respectively, shall be of such a character as to be visible at a distance of not less than two miles on a dark night, with a clear atmosphere.

And Her Majesty is pleased further to direct that steam vessels of 20 tons gross register tonnage or upwards, and sailing vessels of 20 tons net register tonnage or upwards, engaged in trawling, when under way between sunset and sunrise, but not having their trawls in the water, shall, if steamships, carry and show the lights required by Article 3 above recited, and if sailing ships, shall carry and show the lights required by Article 6 above recited: provided, however, that the modifications and additions set forth in Parts I., II., of the schedule hereto shall not be applicable to the fishing vessels and boats of any foreign country, unless and until the same shall have been made applicable thereto by Order in Council.

C. L. Peel.

* Printed at pp. 258–262 above.

Collisions :—Application of 1884 Rules to Ships of 267
certain Countries.

Schedule.

PART I.—*Steam Vessels.*

(1.) On or in front of the foremast head and in the same position as the white light which other steam ships are required to carry, a lantern, showing a white light ahead, a green light on the starboard side, and a red light on the port side : such lantern shall be so constructed, fitted, and arranged as to show an uniform and unbroken white light over an arc of the horizon of four points of the compass, an uniform and unbroken green light over an arc of the horizon of 10 points of the compass, and an uniform and unbroken red light over an arc of the horizon of 10 points of the compass, and it shall be so fixed as to show the white light from right ahead to two points on the bow on each side of the ship, the green light from two points on the starboard bow to four points abaft the beam on the starboard side, and the red light from two points on the port bow to four points abaft the beam on the port side ; and (2) a white light in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear, uniform, and unbroken light all round the horizon ; the lantern containing such white light shall be carried lower than the lantern showing the green, white, and red lights as aforesaid, so, however, that the vertical distance between them shall not be less than 6 feet nor more than 12 feet.

PART II.—*Sailing Vessels.*

(1.) On or in front of the foremast head a lantern having a green glass on the starboard side and a red glass on the port side, so constructed, fitted, and arranged that the red and green do not converge, and so as to show an uniform and unbroken green light over an arc of the horizon of 12 points of the compass, and an uniform and unbroken red light over an arc of the horizon of 12 points of the compass, and it shall be so fixed as to show the green light from right ahead to four points abaft the beam on the starboard side, and the red light from right ahead to four points abaft the beam on the port side ; and (2) a white light in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear, uniform, and unbroken light all round the horizon ; the lantern containing such white light shall be carried lower than the lantern showing the green and red lights as aforesaid, so, however, that the vertical distance between them shall not be less than 6 feet and not more than 12 feet.

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1884 TO SHIPS BELONGING TO GREECE, PORTUGAL, AND ITALY.*

At the Court at Osborne House, Isle of Wight, the 30th day of December, 1884.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follow the first recital and the second recital to the words "jurisdiction or not" to the Order in Council of August 14, 1879, printed at p. 246 above :
And whereas. [Here follow the remainder of the second recital to the Order in Council of August 14,

* This Order in Council was annulled, except Article 10 of the Regulations thereof, by that of July 7, 1897, printed at p. 285 below.

1879, printed at p. 246 above, and the fourth recital to the Order in Council of September, 9, 1884, printed at p. 263 above:

And whereas since the date of the above-named Order in Council, bearing date the eleventh day of August, One thousand eight hundred and eighty-four,* it has been made to appear to Her Majesty that the Governments of Greece, Portugal, and Italy are willing that the said regulations appended to the said Order and to this Order shall apply to Greek, Portuguese, and Italian ships when beyond the limits of British jurisdiction:

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice and consent of Her Privy Council, is pleased to direct that the said regulations appended to the said Order in Council bearing date the eleventh day of August, One thousand eight hundred and eighty-four,* and to this Order, shall, on and after the date hereof apply to ships belonging to the said kingdoms of Greece and Portugal whether within British jurisdiction or not: and shall on and after the first day of January, One thousand eight hundred and eighty-five, apply to ships belonging to the said kingdom of Italy, whether within British jurisdiction or not: and the regulations shall be substituted as regards Greek, Portuguese, and Italian ships and boats, for the regulations contained in the first schedule to the Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine.†

C. L. Peel.

Regulations for preventing Collisions at Sea, approved by Order in Council dated the 11th day of August, 1884.

[These Regulations are printed at pp. 258-262 above].

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1884, TO SHIPS BELONGING TO SWEDEN, NORWAY, AND BRAZIL.‡

At the Court at Windsor, the 19th day of May, 1885.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas [Here follow the first recital and the second recital to the words "jurisdiction or not" to the Order in Council of August 14, 1879, printed at p. 246 above:]

And whereas [Here follow the remainder of the second recital to the Order in Council of August 14, 1879,

* Printed at p. 257 above.

† Printed at p. 246 above.

‡ This Order in Council was annulled, except Article 10 of the Regulations thereof, by that of July 7, 1897, printed at p. 285 below.

printed at p. 246 above, and the fourth recital to the Order in Council of September 9, 1884, printed at p. 263 above]:

And whereas since the date of the above-named Order in Council, bearing date the eleventh day of August, One thousand eight hundred and eighty-four,* it has been made to appear to Her Majesty that the Governments of Sweden, Norway, and Brazil are willing that the said regulations appended to the said Order and to this Order shall apply to Swedish, Norwegian, and Brazilian ships when beyond the limits of British jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice and consent of her Privy Council, is pleased to direct that the said regulations appended to the said Order in Council bearing date the eleventh day of August, One thousand eight hundred and eighty-four,* and to this Order, shall, on and after the date hereof apply to ships belonging to the said kingdom of Sweden and Norway and to the empire of Brazil whether within British jurisdiction or not ; and the regulations shall be substituted as regards Swedish, Norwegian, and Brazilian ships and boats, for the regulations contained in the first schedule to the Order in Council of the fourteenth day of August, One thousand eight hundred and seventy-nine.†

C. L. Peel.

Regulations for preventing Collisions at Sea, approved by Order in Council dated the 11th day of August, 1884,
[These Regulations are printed at pp. 258-262 above].

**ORDER IN COUNCIL MODIFYING THE SAILING RULES OF 1884,
AS MODIFIED BY ORDER IN COUNCIL OF DECEMBER 30,
1884, AS REGARDS BRITISH FISHING VESSELS AND BOATS
ON THE COAST OF EUROPE NORTH OF CAPE FINISTERRE.**

At the Court at Windsor, the 24th day of June, 1885.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862,‡ and dated the 30th day of December, 1884,§ Her Majesty, on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that on and after the first day of January, 1885, the regulations contained in the schedule to an Order in Council made as aforesaid, and dated the 11th day of August, 1884,* should, as regards British fishing vessels and boats,

* Printed at p. 257 above.

† Printed at pp. 248-252 above.

‡ 25 & 26 Vict. c. 63 ; now repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

§ Printed at p. 264 above.

when in the sea off the coast of Europe lying north of Cape Finisterre, be modified and added to, *inter alia*, as follows, viz. :—

As regards sailing vessels engaged in trawling, such vessels, if of 20 tons net register tonnage or upwards, and having their trawls in the water, and not being stationary in consequence of their gear getting fast to a rock or other obstruction, shall between sunset and sunrise either carry and show the lights required by Article 6 of the regulations aforesaid, or shall carry and show in lieu thereof, and in substitution therefor, but not in addition thereto, other lights of the description set forth in Part II. of the schedule to the said recited Order in Council of the 30th day of December, 1884.*

And whereas the Admiralty and the Board of Trade have, in pursuance of the said recited Act, jointly recommended to Her Majesty that the regulations contained in the schedule to the said recited Order in Council of the 11th day of August, 1884,† shall, as regards sailing vessels when engaged in trawling, be further modified and added to in manner following; that is to say :—

As regards sailing vessels engaged in trawling, such vessels having their trawls in the water and not being stationary in consequence of their gear getting fast to a rock or other obstruction, if they do not carry and show the lights required by Article 6 of the regulations aforesaid, or the other lights of the description set forth in Part II. of the schedule to the said recited Order in Council of the 30th of December, 1884,* shall carry and show in lieu of the lights required by Article 6 of the regulations aforesaid, or the other lights of the descriptions set forth in paragraph 2, of the schedule to the said recited Order, other lights as follows; that is to say :—

A white light in a globular lanthorn of not less than eight inches in diameter, and so constructed as to show a clear uniform and unbroken light all round the horizon, and visible on a dark night, with a clear atmosphere, for a distance of at least 2 miles; and also a sufficient supply of red pyrotechnic lights which shall each burn for at least 30 seconds, and shall, when so burning, be visible for the same distance under the same conditions as the white light. The white light shall be shown from sunset to sunrise, and one of the red pyrotechnic lights shall be shown on approaching, or on being approached by, another ship or vessel in sufficient time to prevent collision.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said Act, and by and with the advice of Her

* Printed at p. 264 above.

† Printed at p. 257 above.

Privy Council, is pleased to direct that on and after the 24th day of June, 1885, the regulations contained in the schedule to the Order in Council of the 11th day of August, 1884,* shall, as regards British sailing fishing vessels and boats, when in the sea off the coast of Europe lying north of Cape Finis-terre, be further modified and added to accordingly ; that is to say, such sailing vessels shall, whatever be their tonnage, be at liberty to carry the substituted lights hereinbefore described in lieu of, and in substitution for, but not in addition to, the lights prescribed to be carried by such sailing vessels by the Orders in Council dated respectively the 11th day of August, 1884,* and the 30th day of December, 1884.†

C. L. Peel.

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PRE-VENTING COLLISIONS AT SEA OF 1884, WITH A CERTAIN MODIFICATION TO SHIPS BELONGING TO TURKEY.

At the Court at Windsor, the 9th day of July, 1885.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [*Here follow the first recital and the second recital to the words "jurisdiction or not" to the Order in Council of August 14, 1879, printed at p. 246 above*] :

And whereas [*Here follow the remainder of the second recital to the Order in Council of August 14, 1879, printed at p. 246 above, and the fourth recital to the Order in Council of September 9, 1884, printed at p. 263 above*] :

And whereas since the date of the above-named Order in Council bearing date the 11th day of August, 1884,* it has been made to appear to Her Majesty that the Government of Turkey is willing that the said regulations appended to the said Order and to this Order shall apply to Turkish ships when beyond the limits of British jurisdiction ;

And whereas the said Government of Turkey is desirous that Article numbered 12 of the said regulations shall, as applied to Turkish ships, be modified as follows, viz :—That in lieu of, and in substitution for, the bell required by the said article to be provided and used as a sound signal for fog, &c. there may be placed and kept on board Turkish ships an efficient drum, which shall be sounded under the same circumstances, and at the same intervals, as by the said article a bell is required to be rung :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct that the said regulations appended to the said Order in Council bearing date the 11th

* Printed at p. 257 above.

† Printed at p. 264 above.

day of August, 1884,* and to this Order, shall, on and after the date hereof, apply to ships belonging to the said Government of Turkey, whether within British jurisdiction or not; and the regulations shall be substituted as regards Turkish ships and boats for the regulations contained in the first Schedule to the Order in Council of the 14th day of August, 1879:†

Provided, however, that it shall not be necessary for the bell required by Article numbered 12 of the said regulations to be provided and used on board steam and sailing ships as a sound signal for fog, &c., to be placed and kept on board Turkish ships, but that, in lieu thereof, and in substitution therefor, there may be placed and kept on board such Turkish ships an efficient drum which shall be sounded under the same circumstances, and at the same intervals, as by the said article a bell is required to be rung.

C. L. Peel.

Regulations for preventing collisions at sea, approved by
Order in Council dated the 11th day of August, 1884.

[These Regulations are printed at pp. 258-262 above].

ORDER IN COUNCIL APPLYING THE REGULATIONS FOR PREVENTING COLLISIONS AT SEA OF 1884 TO SHIPS BELONGING TO CHILE.‡

At the Court at Balmoral, the 17th day of September, 1885.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas [Here follow the first recital and the second recital to the words "jurisdiction or not" to the Order in Council of August 14, 1879, printed at p. 246 above]:

And whereas [Here follow the remainder of the second recital to the Order in Council of August 14, 1879, printed at p. 246 above, and the fourth recital of the Order in Council of September 9, 1884, printed at p. 263 above.

And whereas since the date of the above-named Order in Council bearing date the eleventh day of August, One thousand eight hundred and eighty-four,§ it has been made to appear to Her Majesty that the Government of Chile are willing that the said regulations appended to the said Order

* Printed at 257 above.

† Printed at pp. 248-252 above. The regulations of that Order in Council were applied to Turkish ships and boats by Order in Council of November 27th, 1880, printed at p. 254 above.

‡ This Order in Council was annulled, except Article 10 of the Regulations thereof, by that of July 7th, 1897, printed at p. 285 below.

§ Printed at p. 257 above.

and to this Order shall apply to Chilian ships when beyond the limits of British jurisdiction :

Now, therefore, Her Majesty, by virtue of the power vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to direct that the said regulations appended to the said Order in Council bearing date the eleventh day of August, one thousand eight hundred and eighty-four,* and to this Order, shall, from the date hereof, apply to ships belonging to the Republic of Chile, whether within the British jurisdiction or not, and shall be substituted, as regards Chilian ships and boats, for the regulations contained in the First Schedule to the Order in Council of the fourteenth day of August, one thousand eight hundred and seventy-nine.†

C. L. Peel.

Schedule referred to in the foregoing Order.

Regulations for preventing Collisions at Sea, approved by Order in Council dated the 11th day of August, 1884.

[These Regulations are printed at pp. 258–262 above.]

ORDER IN COUNCIL MODIFYING THE REGULATIONS OF AUGUST 11, 1884, FOR PREVENTING COLLISIONS AT SEA AS REGARDS BRITISH STEAM PILOT VESSELS IN BRITISH WATERS.

At the Court at Osborne House, Isle of Wight, the 18th day of August, 1892.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council made in pursuance of the Merchant Shipping Act Amendment Act, 1862,‡ and dated the eleventh day of August, One thousand eight hundred and eighty-four, Her Majesty on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that on and after the first day of September, One thousand eight hundred and eighty-four, the regulations contained in the schedule thereto should, so far as regards British ships and boats, be substituted for the regulations contained in the first schedule to an Order in Council made as aforesaid, and dated the fourteenth day of August, One thousand eight hundred and seventy-nine :

And whereas by two Orders in Council made in pursuance of the said Act, and on such joint recommendation as aforesaid,

* Printed at pp. 248–252 above.

† Printed at pp. 258–262 above.

‡ 25 & 26 Vict. c. 63.

and dated respectively the thirtieth day of December, One thousand eight hundred and eighty-four,* and the twenty-fourth day of June, One thousand eight hundred and eighty-five,† certain modifications and additions were made to the said regulations contained in the schedule to the said recited Order in Council of the eleventh day of August, One thousand eight hundred and eighty-four, as regards British fishing vessels and boats:

And whereas by the said regulations contained in the schedule to the said Order in Council of the eleventh day of August, One thousand eight hundred and eighty-four, it is, amongst other things, provided as follows, namely:—

Article 9.—A pilot vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

A pilot vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

And whereas the Admiralty and the Board of Trade have, in pursuance of the said recited Act, jointly recommended to Her Majesty that the said regulations contained in the schedule to the said Order in Council of the eleventh day of August, One thousand eight hundred and eighty-four,‡ should be further modified by adding to the said recited Article 9 thereof of the provision contained in the schedule hereto.

Now, therefore, Her Majesty by virtue of the powers vested in Her by the said Act, and by and with the advice of Her Privy Council, is pleased to direct that from the date of this Order the regulations contained in the schedule to the said Order in Council of the eleventh day of August, One thousand eight hundred and eighty-four,‡ shall be further modified by the addition to the said recited Article 9 thereof of the provisions contained in the schedule hereto.

G. L. Peel.

SCHEDULE.

A steam pilot vessel exclusively employed for the service of pilots licensed or certified by any pilotage authority or the committee of any pilotage district in the United Kingdom when engaged on her station on pilotage duty and in British waters and not at anchor shall in addition to the lights required for all pilot boats carry at a distance of eight feet above her white masthead light a red light visible all round the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles and also the coloured side lights required to be carried by vessels when under way.

When engaged on her station on pilotage duty and in British waters and at anchor she shall carry in addition to the light required for all pilot boats the red light above mentioned but not the coloured side lights.

When not engaged on her station on pilotage duty she shall carry the same lights as other steam vessels.

* Printed at p. 264 above.

† Printed at p. 269 above.

‡ Printed at p. 257 above.

ORDER IN COUNCIL SUBSTITUTING AS REGARDS BRITISH SHIPS
AND BOATS NEW REGULATIONS FOR PREVENTING COL-
LISIONS AT SEA, AND NEW RULES AS TO SIGNALS OF
DISTRESS FOR THOSE SCHEDULED TO THE ORDER IN
COUNCIL OF AUGUST 11, 1884.

1896. No. 1082.

At the Court at Windsor, the 27th day of November, 1896.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by Section 418 of the Merchant Shipping Act, 1894,* Her Majesty is empowered from time to time, on the joint recommendation of the Admiralty and the Board of Trade by Order in Council, to make regulations for preventing collisions at sea :

And whereas, by Section 434 of the said Act Her Majesty is empowered from time to time by Order in Council to make rules as to signals of distress :

And whereas by an Order in Council dated the 11th day of August 1884†, and expressed to be made in pursuance of the Merchant Shipping Act Amendment Act, 1862‡, and on the joint recommendation of the Admiralty and the Board of Trade, Her Majesty was pleased to direct that, on and after the first day of September, 1884, the regulations contained in the schedule thereto (being regulations for preventing collisions at sea and as to signals of distress) should be substituted for the Regulations contained in the first schedule to an Order in Council made under the same Act, and on such joint recommendations as aforesaid, and dated the 14th day of August, 1879 :§

And whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty that the regulations for preventing collisions at sea contained in the schedule to the said Order in Council dated the 11th day of August, 1884, except the Article numbered 10 in such regulations, should, on and after the 1st day of July, 1897, be annulled, and that the regulations for preventing collisions at sea contained in Schedule I. hereto annexed should, on and after the last-mentioned date, be substituted therefor, with the exception aforesaid, and come into operation as regards British ships and boats :

And whereas it has been made to appear to Her Majesty that it is expedient that the regulations or rules as to signals of distress contained in the schedule to the said Order in Council dated the 11th day of August, 1884, should, on and

* 57 & 58 Vict. c. 60.

† Printed at p. 257, above.

‡ 25 & 26 Vict. c. 63, repealed and consolidated with other Acts by the Merchant Shipping Act, 1894.

§ Printed at p. 246, above.

after the said 1st day of July, 1897, be annulled, and that the rules as to signals of distress contained in Schedule II., hereto annexed, should, on and after the last-mentioned date, be substituted therefor, and come into operation as regards British ships and boats :

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,* have been complied with :

Now, therefore, Her Majesty, by virtue of the power vested in her by Section 418 of the Merchant Shipping Act, 1894,† and on the joint recommendation of the Admiralty and the Board of Trade, and by and with the advice of Her Privy Council, is pleased to direct that, on and after the 1st day of July, 1897, the regulations for preventing collisions at sea contained in the schedule to the said Order in Council, dated the 11th day of August, 1884, except the article numbered 10 in such regulations, shall be annulled, and the regulations for preventing collisions at sea contained in Schedule I. hereto annexed, shall be substituted therefor (with the exception aforesaid), and come into operation as regards British ships and boats :

And Her Majesty is further pleased, by virtue of the power vested in her by Section 434 of the Merchant Shipping Act, 1894,† and by and with the advice of her Privy Council, to direct that, on and after the 1st day of July, 1897, the regulations or rules as to signals of distress contained in the schedule to the said Order in Council, dated the 11th day of August, 1884, shall be annulled, and the rules as to signals of distress contained in Schedule II., hereto annexed, shall be substituted therefor, and come into operation as regards British ships and boats.

C. L. Peel.

Schedule I.

Preliminary.

These Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The word "steam vessel" shall include any vessel propelled by machinery.

A vessel is "under way" within the meaning of these Rules when she is not at anchor, or made fast to the shore or ground.

Rules concerning Lights, &c.

The word "visible" in these Rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

Article 1.—The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

* 56 & 57 Vict. c. 66.

† 57 & 58 Vict. c. 60.

Article 2.—A steam vessel when under way shall carry—

- (a) on or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.
- (b) on the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
- (c) on the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.
- (d) the said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.
- (e) a steam vessel when under way may carry an additional white light similar in construction to the light mentioned in sub-division (a). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Article 3.—A steam vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in Article 2 (a), except the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Article 4. (a)—A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (a), where they can best be seen, and, if a steam vessel, in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each two feet in diameter.

(b) a vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (a), and if a steam vessel, in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(c) The vessels referred to in this Article when not making way through the water, shall not carry the side lights, but when making way shall carry them.

(d) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Article 5.—A sailing vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Article 6.—Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept at hand lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than two points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

Article 7.—Steam vessels of less than 40, and vessels under oars or sails of less than 20, tons gross tonnage, respectively, and rowing boats, when under way, shall not be obliged to carry the lights mentioned in Article 2 (a) (b) and (c), but if they do not carry them they shall be provided with the following lights:—

1. Steam vessels of less than 40 tons shall carry—
 - (a) in the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (a), and of such a character as to be visible at a distance of least 2 miles;
 - (b) green and red side-lights constructed and fixed as prescribed in Article 2 (b) and (c) and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than at 3 feet below the white light.
2. Small steamboats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern, mentioned in sub-division 1 (b).
3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.
4. Rowing boats, whether under oars or sail, shall have ready at hand a lantern showing a white light, which shall be temporarily exhibited in sufficient time to prevent collision.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (a), and Article 11, last paragraph.

Article 8.—Pilot vessels when engaged on their station or pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board, may show the white light instead of carrying it at the masthead, and may, instead of the coloured lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot-vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.*

Article 9.†

[This Article will deal with regulations affecting fishing boats, and will be the subject of another Order, which will be submitted to Her Majesty for approval at a later date.]

Article 10.—A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side-lights.

Article 11.—A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20, and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall not be less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by Article 4 (a).

Article 12.—Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry show a flare-up light or use any detonating signal that cannot be mistaken for a distress signal.

Article 13.—Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorised by their respective Governments and duly registered and published.

Article 14.—A steam vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen, one black ball or shape 2 feet in diameter.

Sound-Signals for Fog, &c.

Article 15.—All signals prescribed by this Article for vessels under way shall be given:

1. By "steam vessels" on the whistle or siren.
2. By "sailing vessels and vessels towed" on the fog-horn.

* The Order in Council of July 7, 1897, printed at p. 233 below, provides that the Order of August 18, 1892, shall be construed as making an addition to this Article.

† No such Order has (December 31, 1908) been made, and Article 10 of the Regulations of 1884 is in operation accordingly.

The words "prolonged blast" used in this Article, shall mean a blast of from 4 to 6 seconds' duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz. :—

- (a) A steam vessel having way upon her, shall sound, at intervals of not more than 2 minutes, a prolonged blast.
- (b) A steam vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than 2 minutes, two prolonged blasts, with an interval of about 1 second between them.
- (c) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (d) A vessel, when at anchor, shall, at intervals of not more than 1 minute, ring the bell rapidly for about 5 seconds.
- (e) A vessel, when towing, a vessel employed in laying or in picking up a telegraph cable, and a vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules shall, instead of the signals prescribed in sub-divisions (a) and (c) of this Article, at intervals of not more than 2 minutes, sound three blasts in succession, viz., one prolonged blast followed by two short blasts. A vessel towed may give this signal and she shall not give any other.

Sailing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound-signal at intervals of not more than 1 minute.

Speed of Ships to be Moderate in Fog, &c.

Article 16.—Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and Sailing Rules.

Preliminary.—Risk of Collision.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Article 17.—When two sailing-vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz. :—

- (a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.
- (b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

* In all cases where the Rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

- (c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.
- (d) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.
- (e) A vessel which has the wind aft shall keep out of the way of the other vessel.

Article 18.—When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels, which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and, by night, to cases in which each vessel is in such a position as to see both the side lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Article 19.—When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Article 20.—When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

Article 21.—Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

NOTE.—When, in consequence of thick weather or other causes, such vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision. (See Articles 27 and 29.)

Article 22.—Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Article 23.—Every steam vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed, or stop or reverse.

Article 24.—Notwithstanding anything contained in these Rules, every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, i.e., in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's side lights shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Article 25.—In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid channel which lies on the starboard side of such vessel.

Article 26.—Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels or boats.

Article 27.—In obeying and construing these Rules, due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Sound-Signals for Vessels in Sight of one Another.

Article 28.—The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam vessel under way, in taking any course authorised or required by these Rules, shall indicate that course by the following signals on her whistle or siren, viz. :—

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going full speed astern."

No Vessel under any Circumstances to neglect proper Precautions.

Article 29.—Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Reservation of Rules for Harbours and Inland Navigation.

Article 30.—Nothing in these Rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

Schedule II.

Distress Signals.

Article 31.—When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately; viz. :—

In the daytime—

1. A gun or other explosive signal fired at intervals of about a minute;
2. The International Code signal of distress indicated by N.C.;
3. The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;
4. A continuous sounding with any fog-signal apparatus.

At night—

1. A gun or other explosive signal fired at intervals of about a minute;
 2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
 3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals;
 4. A continuous sounding with any fog-signal apparatus.
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ORDER IN COUNCIL DIRECTING THAT THE ORDER IN COUNCIL OF AUGUST 18, 1892,* RELATING TO BRITISH STEAM PILOT VESSELS IN BRITISH WATERS, SHALL BE CONSTRUED AS REFERRING TO ARTICLE 8 OF THE REGULATIONS ANNEXED TO THE ORDER IN COUNCIL OF NOVEMBER 27, 1896.†

1897. No. 573.

At the Court at Windsor, the 7th day of July, 1897.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council, dated the 18th day of August, 1892,* after reciting Article 9 of the Regulations contained in the schedule to an Order in Council of the 11th August, 1884,† and reciting that the Admiralty and the Board of Trade had, in pursuance of the Act therein referred to, jointly recommended to Her Majesty that the said Regulations contained in the said Order in Council of the 11th August, 1884, should be further modified by adding to the said recited Article 9 thereof the provision contained in the schedule to the reciting Order, Her Majesty was pleased to direct that from the date of the Order the regulations contained in the schedule to the said Order of the 11th August, 1884, should be further modified by the addition to the said recited Article 9 thereof of the provisions in the schedule thereto :

And whereas by an Order in Council of the 27th November, 1896,‡ Her Majesty, by virtue of the power vested in Her by section 418 of the Merchant Shipping Act, 1894,§ and on the joint recommendation of the Admiralty and the Board of Trade, was pleased to direct that on and after the 1st July, 1897, the Regulations for Preventing Collisions at Sea contained in the said Order in Council, dated the 11th August, 1884, except the Article numbered 10 in such Regulations, shall be annulled, and that the Regulations for Preventing Collisions at Sea contained in Schedule 1 thereto annexed shall be substituted therefor (with the exception aforesaid) and come into operation as regards British ships and boats :

And whereas doubts may arise whether the said recited Order in Council, dated the 18th August, 1892, will apply to Article numbered 8 of the new Regulations set out in Schedule 1 to the said recited Order, dated the 27th November, 1896, which is in substitution for Article numbered 9 of the Regulations set out in the schedule to the said Order in Council, dated the 11th August, 1884, and so annulled as aforesaid :

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, on the 18th May, 1897, to direct

* Printed at p. 273 above.

† Printed at p. 275 above.

‡ Printed at p. 257 above.

§ 57 & 58 Vict. c. 60.

that on and after the first day of July, 1897, the Order in Council of 18th August, 1892, should be read and construed as if it referred to Article numbered 8 of the Regulations set out in Schedule 1 to the said Order in Council of the 27th November, 1896, to the intent that the provisions contained in the schedule to the said recited Order in Council of 18th August, 1892, and in the schedule annexed to the Order in Council of 18th May, 1897, should form part of the said Article 8, and that the said Order should be *provisional* within the meaning of the Rules Publication Act, 1893.*

And whereas the provisions of Section 1 of the Rules Publication Act, 1893, have now been complied with:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the Merchant Shipping Act, 1894, and by and with the advice of Her Privy Council, is pleased to order and direct that the said recited Order in Council, dated the 18th day of August, 1892, shall be read and construed as if it referred to Articles numbered 8 of the Regulations set out in Schedule 1 to the said recited Order, dated the 27th November, 1896, to the intent that the provisions contained in the schedule to the said recited Order, dated 18th August, 1892, and in the schedule hereto annexed shall form part of the said Article numbered 8, which shall be read and construed accordingly: and this Order shall take effect on the date hereof (up to which time the said recited Provisional Order of the 18th May, 1897, is in force).

C. L. Peel.

Schedule.

A steam pilot vessel exclusively employed for the service of pilots licensed or certified by any pilotage authority or the committee of any pilotage district in the United Kingdom when engaged on her station on pilotage duty and in British waters and not at anchor shall in addition to the lights required for all pilot boats carry at a distance of eight feet below her white masthead light a red light visible all round the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles and also the coloured side lights required to be carried by vessels when under way.

When engaged on her station on pilotage duty and in British waters and at anchor she shall carry in addition to the lights required for all pilot boats the red light above mentioned but not the coloured side lights.

When not engaged on her station on pilotage duty she shall carry the same lights as other steam vessels.

* 56 & 57 Vict. c. 66.

**Collisions:—Application of 1896 Rules to certain 285
Countries.**

**ORDER IN COUNCIL DIRECTING THAT THE REGULATIONS FOR
PREVENTING COLLISIONS AT SEA AND THE RULES AS TO
DISTRESS SIGNALS ANNEXED TO THE ORDER IN COUNCIL
OF NOVEMBER 27, 1896, SHALL APPLY TO THE SHIPS OF
CERTAIN SCHEDULED COUNTRIES.**

1897. No. 572.

At the Court at Windsor, the 7th day of July, 1897.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas by Section 424 of the Merchant Shipping Act, 1894,* it is provided that whenever it is made to appear to Her Majesty in Council that the Government of any foreign country is willing that the Collision Regulations (being Regulations which, by Section 418 of the said Act, Her Majesty is empowered to make, by Order in Council, on the joint recommendation of the Admiralty and the Board of Trade, for the prevention of collisions at sea) should apply to the ships of that country when beyond the limits of the British jurisdiction, Her Majesty may, by Order in Council, direct that those regulations shall, subject to any limitations of time, conditions, and qualifications contained in the Order, apply to ships of the said foreign country, whether within British jurisdiction or not, and that such ships shall, for the purpose of such regulations, be treated as if they were British ships :

And whereas by Section 434 of the said Act Her Majesty is empowered by Order in Council to make rules as to signals of distress :

And whereas by Section 734 of the said Act, it is provided that where it has been made to appear to Her Majesty that the Government of any foreign country is desirous that any of the provisions of that Act, which do not apply to the ships of that country, should so apply, and there are no special provisions in the said Act for that application, Her Majesty in Council may order that such of those provisions as are in the Order specified shall (subject to the limitations, if any, contained therein) apply to the ships of that country, and to the owners, masters, seamen, and apprentices of those ships, when not locally within the jurisdiction of the government of that country in the same manner in all respects as if those ships were British ships :

And whereas by Section 738 of the said Act it is provided that, subject to any special provisions of that Act, upon the publication of any Order in Council which Her Majesty has power under that Act to make, the Order shall, as from the

* 57 & 58 Vict. c. 60.

date of the publication, or any later date mentioned in the Order, take effect as if it were enacted by Parliament :

And whereas by an Order in Council dated the 14th day of August, 1879,* and expressed to be made in pursuance of the Merchant Shipping Act Amendment Act, 1862,† and, as to the first part thereof, on the joint recommendation of the Admiralty and the Board of Trade, and, as to the second part thereof, with the consent of the Governments of the several foreign countries mentioned in the second schedule thereto, Her Majesty was pleased to direct, first, that on and after the 1st day of September, 1880, the regulations (being Regulations for Preventing Collisions at Sea) appended to an Order in Council of the 9th day of January, 1863,‡ and the additions to the said regulations contained in an Order in Council of the 30th day of July, 1868,§ shall be annulled, and that there should be substituted for the said regulations and additions respectively, the regulations contained in the first schedule thereto; second, that the said regulations contained in the said first schedule thereto should, from after the 1st day of September, 1880, apply to ships of the countries mentioned in the second schedule thereto, whether within British jurisdiction or not;

And whereas by several Orders in Council subsequently made, Her Majesty was pleased to direct that the regulations contained in the first schedule to the said Order in Council of the 14th day of August, 1879, should apply to the ships of the countries specified in the said several Orders, whether within British jurisdiction or not but subject to the modifications mentioned in the said several Orders, or any of them :

And whereas by an Order in Council dated the 11th day of August, 1884,|| and expressed to be made in pursuance of the Merchant Shipping Act Amendment Act, 1862, and on the joint recommendation of the Admiralty and the Board of Trade, Her Majesty was pleased to direct that, on and after the 1st day of September, 1884, the regulations contained in the Schedule thereto (being Regulations for Preventing Collisions at Sea, and as to signals of distress) should, so far as regards British ships and boats, be substituted for the regulations contained in the first schedule to the herein-before recited Order in Council of the 14th day of August, 1879 :

And whereas by several Orders in Council subsequently made, Her Majesty was pleased to direct that the regulations contained in the said schedule to the said Order in Council of the 11th day of August, 1884, should apply to the ships of the countries specified in the said several Orders, whether within British jurisdiction or not, but subject to the modifications mentioned in the same Orders, or any of them, and that such regulations, subject as aforesaid, should as regards to the ships

* Printed at p. 246 above.

† 25 & 26 Vic. c. 63.

‡ Published in "London Gazette," January 13, 1863, p. 188.

§ Published in "London Gazette," August 4, 1868, p. 4307.

|| Printed at p. 257 above.

**Collisions:—Application of 1896 Rules to certain 287
Countries.**

and boats of the said several countries in the said several Orders now in recital specified, to which the regulations contained in the first schedule to the herein-before recited Order in Council of the 14th day of August, 1879, applied by virtue of any Order in Council, be substituted therefor.

And whereas by an Order in Council, dated the 27th day of November, 1896,* and expressed to be made in pursuance of Section 418 of the Merchant Shipping Act, 1894, and on the joint recommendation of the Admiralty and the Board of Trade, Her Majesty was pleased to direct that, on and after the first day of July, 1897, the Regulations for Preventing Collisions at Sea, contained in the said recited Order in Council dated the 11th day of August, 1884, except the article numbered 10 in such regulations, should be annulled, and the Regulations for Preventing Collisions at Sea contained in Schedule 1 thereto annexed, should be substituted therefor (with the exception aforesaid), and come into operation as regards British ships and boats, and by the same Order and in pursuance of Section 434 of the Merchant Shipping Act, 1894 Her Majesty was further pleased to direct that, on and after the 1st day of July, 1897, the Regulations or Rules as to signals of distress contained in the schedule to the said Order in Council dated the 11th day of August, 1884, should be annulled and the rules as to signals of distress contained in Schedule II. to the Order now in recital annexed, should be substituted therefor and come into operation as regards British ships and boats.

And whereas the provisions of sub-section 2 of Section 738 of the Merchant Shipping Act, 1894, have been complied with in regard to the said lastly herein-before recited Order in Council.

And whereas it has been made to appear to Her Majesty in Council that the Governments of the several countries specified in Schedule III. hereto, are willing that the said Regulations contained in Schedule I. to the said recited Order of the 27th day of November, 1896, and in Schedule I. to this Order, should apply to the ships of those countries when beyond the limits of British jurisdiction :

And whereas it has also been made to appear to Her Majesty that the Governments of the same countries are also desirous that the rules made in pursuance of the provisions of Section 434 of the Merchant Shipping Act, 1894 (being the rules contained in Schedule II. to the said recited Order of the 27th day of November, 1896, and in Schedule II. to this Order) in so far as they do not apply to the ships of those countries, should so apply :

And whereas the Government of China is desirous that the application of such Regulations and Rules shall be limited to war and merchant ships of foreign type :

And whereas Her Majesty was pleased, by and with the advice of Her Privy Council, on the 18th day of May, 1897, to

* Printed at p. 275 above

direct that the Regulations and Rules contained in Schedules I. and II. to the Order in Council, of 27th November, 1896, and in Schedules I. and II. to the Order in Council, of 18th May, 1897, should on and after the 1st day of July, 1897, but subject to the provisos therein contained, apply to the ships of the several countries specified in Schedule III. to the last named Order, and that the said Order should be a *Provisional* Order, within the meaning of the Rules Publication Act, 1893: *

And whereas the provisions of Section 1 of, the Rules Publication Act, 1893, have now been complied with:

Now, therefore, Her Majesty, by virtue of the power vested in Her by Section 424 of the Merchant Shipping Act, 1894, and by and with the advice of Her Privy Council, is pleased to direct that, the Regulations for Preventing Collisions at Sea, contained in Schedule I. to the said Order of the 27th day of November, 1896, and in Schedule I. to this Order annexed shall, on and after the date hereof, (up to which time the said recited Provisional Order of the 18th May, 1897, is in force,) continue to apply to the ships of the said several countries specified in Schedule III. hereto annexed, whether within British jurisdiction or not, and that such ships shall for the purpose of such regulations be treated as if they were British ships, to the intent that such regulations shall, as regards the ships of the said several countries specified in Schedule III. hereto annexed, to which the said Regulations for Preventing Collisions at Sea, contained in the said recited Orders of the 14th day of August, 1879, and the 11th day of August, 1884, apply by virtue of any Order in Council, be substituted therefor: provided that this Order shall not affect the application of Article 10 of each of such sets of regulations in so far as the same is applicable to the ships of any of such countries:

And Her Majesty is further pleased, by virtue of the power vested in Her by Section 734 of the Merchant Shipping Act, 1894, and by and with the advice of Her Privy Council, to direct that the rules as to signals of distress contained in Schedule II. to the said recited Order of the 27th day of November, 1896, and in Schedule II. to this Order, shall on and after the date hereof continue to apply to the ships of the several countries specified in Schedule III. hereto annexed, and to the owners, masters, seamen, and apprentices of those ships, when not locally within the jurisdiction of the Government of the country in the same manner in all respects as if those ships were British ships:

Provided always that as regards Chinese ships such regulations for preventing collisions at sea and such rules as to signals of distress shall apply to ships of foreign type whether war ships or not, but not otherwise.

C. L. Peel.

Schedule I.

[Here follows a reprint of Schedule I. of the Order in Council of November 27, 1896, printed at p. 276 above.]

Schedule II.

[Here follows a reprint of Schedule II. of the Order in Council of November 27, 1896, printed at p. 282 above.]

Schedule III.

Argentine Republic.	Guatemala.
Austria-Hungary.	Italy.
Belgium.	Japan.
Brazil.	Mexico.
Chili.	Netherlands.
China.	Norway.
Costa Rica.	Peru.
Denmark.	Portugal.
Ecuador.	Russia.
Egypt.	Siam.
France.	Spain.
Germany.	Sweden.
Greece.	United States.*

6. Casualties, Wreck and Salvage.

(i) *Reports and Inquiries*, p. 289. (ii) *Salvage*, p. 300.

(i) Reports and Inquiries.

THE SHIPPING CASUALTIES RULES, DATED MARCH 7, 1895.

1895. No. $\frac{112.}{L. 7.}$

Short Title and Commencement.

1. These Rules may be cited as the Shipping Casualties Rules, 1895. They shall come into operation on the 1st day of April, 1895, and shall, so far as practicable, and unless otherwise expressly provided, apply to all matters arising in any pending investigations, and also to all investigations instituted on or after the said day.

* By Act of Congress Sess. 1. c. 802, 1890. The Collision Regulations were applied to public as well as private vessels of the United States.

Interpretation.

2. In these Rules, unless the context or subject matter otherwise requires—

“Investigation” means a formal investigation into a shipping casualty:

“Judge” means the wreck commissioner, sheriff, sheriff-substitute, stipendiary magistrate, justices, or other authority empowered to hold an investigation:

“List of assessors” means the existing list and classification of assessors for shipping casualties approved by the Secretary of State set out in Part. II. of the Appendix to these Rules, or the list and classification of assessors for the time being approved by the Secretary of State:

“Court of Appeal” means the court by which appeals from decisions given in investigations or inquiries into shipping casualties are for the time being heard, under the Merchant Shipping Act, 1894.* or any Act amending that Act.

Notice of Investigation.

3. When an investigation has been ordered, the Board of Trade may cause a notice, to be called a notice of investigation, to be served upon the owner, master, and officers of the ship, as well as upon any person who in their opinion ought to be served with such notice. The notice shall contain a statement of the questions which, on the information then in possession of the Board of Trade, they intend to raise on the hearing of the investigation, and shall be in the Form No. 1 in Part I. of the Appendix, with such variations as circumstances may require. The Board of Trade may, at any time before the hearing of the investigation, by a subsequent notice amend add to, or omit any of the questions specified in the notice of investigation.

4. The Board of Trade, and any certificated officer upon whom a notice of investigation has been served, shall be deemed to be parties to the proceedings.

5. Any other person upon whom a notice of investigation has been served and any person who shows that he has an interest in the investigation shall have a right to appear, and any other person may, by leave of the judge, appear, and any person who appears under this rule shall thereupon become a party to the proceedings.

Notice to Produce.

6. A party may give to any other party notice in writing to produce any documents (saving all just exceptions) relating

* 57 & 58 Vict. c. 60.

to the matters in difference between them, and which are in the possession or under the control of such other party; and, if the notice is not complied with, secondary evidence of the contents of the documents may be given by the party who gave the notice.

Notice to Admit.

7. A party may give to any other party notice in writing to admit any documents (saving all just exceptions), and in case of neglect or refusal to admit after such notice, the party so neglecting or refusing shall be liable for all the costs of proving the documents, whatever may be the result, unless the judge is of opinion that the refusal to admit was reasonable; and no costs of proving any document shall be allowed unless such notice has been given, except where the omission to give the notice has, in the opinion of the officer by whom the costs are taxed, caused a saving of expense.

Affidavits.

8. Affidavits may, by permission of the judge, be used as evidence at the hearing.

Proceedings in Court.

9. At the time and place appointed for holding the investigation the court may proceed with the investigation, whether the parties, upon whom a notice of investigation has been served, or any of them, are present or not.

10. The proceedings on the investigation shall commence with the production and examination of witnesses by the Board of Trade. These witnesses, after being examined on behalf of the Board of Trade, may be cross-examined by the parties in such order as the judge may direct, and may then be re-examined by the Board of Trade. Questions asked, and documents tendered as evidence in the course of the examination of these witnesses, shall not be open to objection merely on the ground that they do or may raise questions which are not contained in, or which vary from, the statement of the case, or questions specified in the notice of investigation.

11. When the examination of the witnesses produced by the Board or Trade has been concluded, the Board of Trade shall state in open court the questions in reference to the casualty, and the conduct of the certificated officers, or other persons connected therewith, upon which the opinion of the court is desired. In framing the questions for the opinion of the court the Board of Trade may make such modifications in, additions to, or omissions from the questions in the notice of investigation as, having regard to the evidence which has been given, the Board of Trade may think fit.

12. After the questions for the opinion of the court have been stated, the court shall proceed to hear the parties to the investigation, and determine upon the questions so stated. Each party to the investigation shall be entitled to address the court and produce witnesses, or recall any of the witnesses who have already been examined for further examination, and generally adduce evidence. The parties shall be heard and their witnesses examined, cross-examined, and re-examined in such order as the judge shall direct. The Board of Trade may also produce and examine further witnesses, who may be cross-examined by the parties, and re-examined by the Board of Trade.

13. When the whole of the evidence in relation to the questions for the opinion of the court has been concluded, any of the parties who desire so to do may address the court upon the evidence, and the Board of Trade may address the court in reply upon the whole case.

14. The judge may adjourn the investigation from time to time and from place to place, and where an adjournment is asked for by a party to the investigation or by the Board of Trade, the judge may impose such terms as to payment of costs or otherwise as he may think just as a condition of granting the adjournment.

15. Except when the certificate of an officer is cancelled or suspended, in which case the decision shall always be given in open court, the judge may deliver the decision of the court either *viva voce* or in writing, and if in writing it may be sent or delivered to the parties. In the latter case it shall not be necessary to hold a court merely for the purpose of delivering the decision of the court.

16. The judge may order the costs and expenses of the investigation, or any part thereof, to be paid by the Board of Trade or by any other party. An order for payment of costs shall be in the Form No. 2 in Part I. of the Appendix, with such variations as circumstances may require.

17. At the conclusion of the investigation the judge shall report to the Board of Trade. The report shall be in the form No. 3 in Part I. of the Appendix, with such modifications as circumstances may require.

Copy of Report when Certificate affected.

18. Where the certificate of a master, mate, or engineer has been cancelled or suspended, the Board of Trade shall, on application by any party to the proceedings give him a copy of the report made to the board.

Appeals.

19. Where an appeal is to the High Court in England, it shall be to a Divisional Court of the Probate, Divorce, and Admiralty Division of the High Court.

20. Every appeal under Sections 475 and 478 of the Merchant Shipping Act, 1894,* shall be conducted in accordance with the conditions and regulations following (namely):—

- (a) The appellant shall, within the time herein-after mentioned, serve on such of the other parties to the proceedings as he may consider to be directly affected by the appeal, notice of his intention to appeal, and shall also, within two days after setting down the appeal give to the said parties notice of the general grounds of the appeal.
- (b) Notice of appeal shall be served either within twenty-eight days from the date on which the decision is pronounced or within twenty-one days from the date on which the report is issued in print in London by the Board of Trade.
- (c) If the appeal is brought by any party other than the Board of Trade, the appellant shall before the appeal is heard give such security, if any, by deposit of money or otherwise, for the costs to be occasioned by the appeal, as the judge from whose decision the appeal is brought on application made to him for that purpose may direct.
- (d) The appellant shall, before the expiration of the time within which notice of appeal may be given, leave with the officer for the time being appointed for that purpose by the Court of Appeal, a copy of the notice of appeal, and the officer shall thereupon set down the appeal by entering it in the proper list.
- (e) The Court of Appeal shall be assisted by not less than two assessors to be selected, in the discretion of that court, having regard to the nature of each case, from either or both of the following classes :—
 - 1. Elder Brethren of the Trinity House.
 - 2. Persons approved from time to time by the Secretary of State as assessors for the purpose of formal investigations into shipping casualties, under Sections 466 and 467 of the Merchant Shipping Act, 1894.*
- (f) The Court of Appeal may, if it thinks fit, order any other person, other than the parties served with the notice of appeal, to be added as a party or parties to the proceedings for the purposes of the appeal, on such terms with respect to costs and otherwise as the Court of Appeal may think fit. Any party to the proceedings may object to the appearance on the appeal of any other party to the proceedings as unnecessary.
- (g) The evidence taken before the judge from whose decision the appeal is brought shall be proved before the

* 57 & 58 Vict. c. 60.

Court of Appeal by a copy of the notes of the judge, or of the shorthand writer, clerk, secretary, or other person authorised by him to take down the evidence, or by such other materials as the Court of Appeal thinks expedient; and a copy of the evidence and of the report to the Board of Trade containing the decision from which the appeal is brought, and of the notice of the general grounds of the appeal, shall be left with the officer for the time being appointed for that purpose by the Court of Appeal before the appeal comes on for hearing. For the purpose of this rule, copies of the notes of the evidence, and of the report, shall be supplied to the appellant, on request, by the judge or other person having charge thereof, on payment of the usual charge for copying.

- (h) The Court of Appeal shall have full power to receive further evidence on questions of fact, such evidence to be either by oral examination in court, by affidavit, or by deposition taken before an examiner or commissioner. Evidence may also be given with special leave of the Court of Appeal as to matters which have occurred since the date of the decision from which the appeal is brought.
- (i) The Court of Appeal shall have power to make such order as to the whole or any part of the costs of and occasioned by the appeal as the Court may think just.
- (j) Subject to the foregoing provisions of this rule, every appeal shall be conducted under and in accordance with the general rules and regulations applicable to ordinary proceedings before the Court of Appeal, but there shall not be anything in the nature of pleadings other than the notice of the grounds of the appeal, except by special permission of the Court of Appeal.
- (k) On the conclusion of an appeal the Court of Appeal shall send to the Board of Trade a report of the case in such form as the Court of Appeal may think fit.

Re-hearings by Order of Board of Trade.

21.—(a) When the Board of Trade direct a re-hearing, under Section 475 or 478 of the Merchant Shipping Act, 1894,* they shall cause such reasonable notice to be given to the parties whom they consider to be affected by the re-hearing as the circumstances of the case may, in the opinion of the Board of Trade, permit.

* 57 & 58 Vict. c. 60.

(b) The provisions distinguished as (e), (f), (g), (h), (i), (j), and (k), of the last foregoing rule shall apply to a re-hearing as if it were an appeal, and as if the court or authority before whom the re-hearing takes place were the Court of Appeal.

Appointment of Assessors.

22. Subject to these Rules assessors for investigation into shipping casualties shall be appointed from the list of assessors by the Secretary of State.

23. If any investigation involves or appears likely to involve the cancelling or suspension of the certificate of a master, mate, or engineer, there shall be appointed from the list of assessors not less than two assessors from Class I. and Class II. or from either of those classes.

24. Subject to any special appointment or appointments which the Secretary of State may think it expedient to make in any case where special circumstances appear to him to require a departure from these rules (the requirements of the last preceding rule being always complied with) assessors shall be appointed as follows :--

- (1.) Where the investigation involves or appears likely to involve the cancelling or suspension of the certificate of a master or mate, but not of an engineer, at least two assessors shall be appointed from Class I.
- (2.) Where the investigation involves or appears likely to involve the cancelling or suspension of the certificate of a master or mate of a sailing ship, one at least of the assessors shall be appointed from sub-section (a) of Class I., and where the investigation involves or appears likely to involve the cancelling or suspension of the certificate of a master or mate of a steamship, one at least of the assessors shall be appointed from sub-section (b) of Class I.
- (3.) Where the investigation involves or appears likely to involve the cancelling or suspension of the certificate of an engineer, one at least of the assessors shall be appointed from Class II.

25. The Board of Trade shall inform the Secretary of State when assessors are required, and shall state from which of the aforesaid classes assessors ought in their opinion to be appointed, but the Board of Trade shall not request the appointment of an individual assessor.

26. An appointment made by the Secretary of State of any assessor or assessors for an investigation shall not be open to question on the ground that it was not in accordance with these rules, or does not give full effect to the requirements of these rules.

Computation of Time.

27. In computing the number of days within which any act is to be done they shall be reckoned exclusive of the first and inclusive of the last day, unless the last day shall happen to fall on a Sunday, Christmas Day, or Good Friday, or on a day appointed for a public fast or thanksgiving or holiday, in which case the time shall be reckoned exclusive of that day also.

Service of Notices.

28. Any notice, summons, or other document issued under these Rules may be served by sending the same by registered letter to the address of the person to be served.

29. The service of any notice, summons, or other document may be proved by the oath or affidavit of the person by whom it was served.

Repealing Clause.

30. The under-mentioned Rules are hereby annulled, but nothing in these Rules shall affect the previous operation of, or anything done or suffered under, any of the said rules—

- (1.) The Shipping Casualties Rules, 1878.*
- (2.) The Shipping Casualties Rules, 1879.†
- (3.) The additional Rules as to investigations into shipping casualties, made in 1880.‡
- (4.) The Shipping Casualties (Appeal and Re-hearing) Rules, 1880.‡

Publication of Rules.

31. A copy of these Rules shall be kept at every Custom House and Mercantile Marine Office in the United Kingdom, and any person desiring to peruse them shall be entitled to do so.

Herschell, C.

Dated the 7th day of March, 1895.

* Published in "London Gazette," August, 2, 1878, p. 4424.

† Published in "London Gazette," December 23, 1879, p. 7540.

‡ Published in "London Gazette," April 20, 1880, p. 2602.

APPENDIX.

PART I.

FORMS.

The following forms shall be used, as far as possible, with such alterations as circumstances may require, but no deviation from the prescribed forms shall invalidate the proceedings, unless the judge shall be of opinion that the deviation was material:—

No. 1.—Notice of Investigation.

To _____ master, mate, engineer, owner, &c. of
or _____ belonging to the ship _____ of

I hereby give you notice that the Board of Trade have ordered a formal investigation into the circumstances attending the _____

and that subjoined hereto is a copy of a report [*or statement of the case*] upon which the said investigation has been ordered. I further give you notice to produce to the Court [your Board of Trade certificate, the log books of the vessel, and] any [other] documents relevant to this case which may be in your possession.

I have further to give you notice that on the information at present obtained by the Board of Trade the questions annexed thereto are those upon which it appears desirable, and upon which they propose, to take the opinion of the Court; but these questions will be subject to alteration, addition, omission, or amendment by the representative of the Board of Trade at the investigation, after the witnesses called by the Board of Trade have been examined.

Dated this _____ day of _____ 18 .

Solicitor, Board of Trade.

- I. *Report [or statement of case].*
II. *Questions.*

1. Whether the _____

[*Here insert the proposed questions.*]

No. 2.—Order on a Party for Payment of Costs of Investigation.

In the matter of a formal investigation held at _____ on
the (*here state all the days on which the Court sat*) days of _____
before _____ assisted by _____ into
the circumstances attending the _____

The Court orders—

(1.) That A.B., of _____, do pay to the Solicitor to the Board
of Trade [the sum of _____ pounds on account of] the expenses
of this investigation.

Or (2.) That the Board of Trade do pay to A.B., of _____, [the
sum of _____ pounds on account of] the expenses of this investigation.

Given under my hand this _____ day of _____ 18 .
_____ Judge.

No. 3.—Report of Court.

In the matter of a formal investigation held at _____ on the
(*here state all the days on which the Court sat*) days of _____ before
assisted by _____ into the circumstances attending the _____

The Court, having carefully inquired into the circumstances attending
the above-mentioned shipping casualty, finds, for the reasons stated in the
Annex hereto, that the (*here state finding of the Court*).

Dated this _____ day of _____ 18 .
_____ Judge.

We [or I] concur in the above report.

Assessor.

Assessor.

Annex to the Report.

(*Here state fully the circumstances of the case, the opinion of the Court touching
the causes of the casualty, and the conduct of any persons implicated therein,
and whether the certificate of any officer is either suspended or cancelled, and if
so for what reasons.*)

PART II.

CLASSIFICATION OF LIST OF ASSESSORS, AND QUALIFICATIONS PRESCRIBED FOR EACH CLASS.

The Merchant Shipping Act, 1894.

57 & 58 Vict. c. 60.

Whereas by Section 466 of the Merchant Shipping Act, 1894, it is provided that—

The Court holding a formal investigation into a shipping casualty shall hold the same with the assistance of one or more assessors of nautical engineering or other special skill or knowledge, to be appointed out of a list of persons for the time being approved for the purpose by a Secretary of State in such manner and according to such regulations as may be prescribed by Rules made under this Act with regard thereto.

And whereas by Section 467 of the Merchant Shipping Act, 1894, it is enacted as follows :—

- (1.) The list of persons approved as assessors for the purpose of formal investigations into shipping casualties shall be in force for three years only, but persons whose names are on any such list may be approved for any subsequent list.
- (2.) The Secretary of State may at any time add or withdraw the name of any person to or from the list.
- (3.) The list of assessors in force at the passing of this Act shall subject as aforesaid continue in force till the end of the year one thousand eight hundred and ninety-five.

The Secretary of State has directed that the assessors shall, so far as in his opinion circumstances permit, be taken in order of rotation within each class or sub-class, and has further directed that the assessors placed by him on the list of assessors shall be classified according to their qualifications, as follows :—

Class I.—Mercantile Marine Masters.

- (a) Five years' service as a master in the merchant service, of which two years must have been service in command of a sailing ship with a certificate of competency.
- (b) Five years' service as a master in the merchant service, of which two years must have been service in command of a steamship, with a certificate of competency.

Class II.—Mercantile Marine Engineers.

Five years' service as an engineer in the merchant service, and at the time of appointment holding a first-class certificate of competency as an engineer.

Class III.—Royal Navy.

Rank of Admiral or Captain and three years' service in command of one of Her Majesty's ships at sea, or rank of Staff Commander and three years' service in that rank in one of Her Majesty's ships at sea.

Class IV.—Persons of Nautical Engineering or other Special Skill or Knowledge.

- (a) Such qualification as is in the opinion of the Secretary of State requisite for ordinary cases.
- (b) Such qualification as is in the opinion of the Secretary of State requisite for special cases.

(ii.) Salvage.

ORDER IN COUNCIL APPLYING THE PROVISIONS OF THE MERCHANT SHIPPING ACTS, 1854* AND 1862,† WITH REGARD TO LIFE SALVAGE TO PRUSSIAN SHIPS, WHETHER WITHIN BRITISH JURISDICTION OR NOT.

At the Court at Windsor, the 7th day of April, 1864.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas by the Merchant Shipping Act Amendment Act, 1862,† it is provided that " whenever it is made to appear to Her Majesty that the Government of any foreign country is willing that salvage shall be awarded by British courts for services rendered in saving life from any ship belonging to such country, when such ship is beyond the limits of British jurisdiction, Her Majesty may, by Order in Council, direct that the provisions of the Principal Act and of this Act with respect to salvage for services rendered in saving life from British ships, shall, in all British courts, be held to apply to services rendered in saving life from the ships of such foreign country, whether such services are rendered within British jurisdiction or not ; " and whereas it has been made to appear to Her Majesty that His Majesty the King of Prussia is willing that salvage shall be awarded by British courts for services rendered in saving life from Prussian ships when beyond the limits of British jurisdiction ; and whereas the Principal Act referred to in the Merchant Shipping Act Amendment Act, 1862,† is the Merchant Shipping Act, 1854 :

Now, therefore, Her Majesty, by virtue of the power vested in her by the said Merchant Shipping Act Amendment Act, 1862, and by and with the advice of Her Privy Council, is pleased to order and direct that the provisions of the Merchant Shipping Act Amendment Act, 1862,† and of the Merchant Shipping Act, 1854, with respect to salvage for services rendered in saving life from British ships, shall, in all British courts, be held to apply for services rendered in saving life from Prussian ships, whether such services are rendered within British jurisdiction or not.

* 17 & 18 Vict. c. 104 ; repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

† 25 & 26 Vict. c. 63 ; repealed and consolidated with other Acts by the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60).

7. Pilotage.*

Signals for Pilots.

ORDER IN COUNCIL APPROVING SIGNALS FOR PILOTS.

1900. No. 502.

At the Court at Windsor, the 29th day of June, 1900.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by the 615th Section of the Merchant Shipping Act, 1894,† it is enacted that Her Majesty may, by Order in Council, make rules as to the signals to be used or displayed where the services of a pilot are required on any vessel, such signals being referred to in that Act as pilot signals :

And whereas by Order in Council, dated the 12th day of December, 1894,‡ Her Majesty approved as pilot signals the signals specified in the Schedule annexed to such Order in Council :

And whereas by Section 738 of the Merchant Shipping Act, 1894, it is enacted that where Her Majesty has power under that Act to make an Order in Council, Her Majesty may, from time to time, by Order in Council, revoke any Order so made :

And whereas it is necessary or expedient to substitute for the existing pilot signals the signals specified in the schedule annexed hereto :

And whereas, the provisions of Section 1 of the Rules Publication Act, 1893,§ have been complied with :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, is pleased to approve as pilot signals the signals specified in the schedule annexed hereto, and doth order that such signals shall be used on and after the 1st day of January, 1901, as from which the hereinbefore recited Order of the 12th December, 1894, shall be and is hereby revoked.

A. W. FitzRoy.

* Rules as to appeals from pilotage authorities are printed under the titles (as regards England) "County Court, England," and "Stipendiary Magistrate," (as regards Scotland) "Sheriff Court, Scotland," and (as regards Ireland) "County Court, Ireland," respectively.

† 57 & 58 Vict. c. 60.

‡ Printed in Statutory Rules and Orders, 1894, p. 305.

§ 56 & 57 Vict. c. 66.

Schedule to which the foregoing Order refers.

SIGNALS FOR A PILOT.

The following signals, when used or displayed together or separately, shall be deemed to be signals for a pilot :—

In the Daytime.—

- (1.) To be hoisted at the fore, the Union Jack, having round it a white border one-fifth of the breadth of the flag ;
- (2.) The International Code Pilotage Signal indicated by P.T. ;
- (3.) The International Code Flag S., with or without the code pennant over it ;
- (4.) The distant signal consisting of a cone point upwards, having above it two balls or shapes resembling balls.

At Night.—

- (1.) The pyrotechnic light commonly known as a blue light every fifteen minutes ;
- (2.) A bright white light, flashed or shown at short or frequent intervals just above the bulwarks for about a minute at a time.

8. Lighthouses.

(i.) *Audit of Accounts*, p. 302. | (ii.) *Light Dues*, p. 303.

(i.) Audit of Accounts.**ORDER IN COUNCIL AS TO AUDIT OF ACCOUNTS OF LIGHTHOUSES IN BRITISH POSSESSIONS.**

At the Court at Windsor, the 13th day of May, 1875.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by "The Merchant Shipping Act Amendment Act, 1855,"* it is enacted that accounts shall be kept of all sums expended in the construction, repair, or maintenance of any lighthouse, buoy, or beacon in the British possessions abroad, for which dues are levied under the said Act now in recital, and of the dues received in respect thereof, in such manner as the Board of Trade shall direct, and shall be laid before Parliament annually, and that the said accounts shall be audited in such manner as Her Majesty may by Order in Council direct :

And whereas by Order in Council, dated the sixth day of April, One thousand eight hundred and fifty-eight,† Her Majesty, by virtue of the power vested in her by the said recited Act, was pleased to order and direct that the accounts of all sums expended in the construction, repair, or maintenance of any lighthouse, buoy, or beacon in the British possessions abroad, for which dues are levied under the

* 18 & 19 Vict. c. 91. repealed 57 & 58 Vict. c. 60, s. 745, sch. 22, with special savings for Orders in Council, &c.

† Published in "London Gazette," April 10, 1858, p. 1834.

authority of "The Merchant Shipping Act Amendment Act, 1855,"* and of the dues received in respect thereof, shall be audited and passed by the Board of Trade :

And whereas the Board of Trade have advised that it is expedient that the said accounts should in future be audited by the Comptroller and Auditor-General.

And whereas the Lords Commissioners of the Treasury have agreed to effect this same in the manner in which audits by the Comptroller and Auditor-General of Accounts other than appropriation accounts are effected, viz., by a Treasury Order under Section 33 of "The Exchequer and Audit Department Act, 1866"† :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, is pleased to order and direct, and it is hereby ordered and directed, that the said Order in Council, dated the sixth day of April, One thousand eight hundred and fifty-eight, be, and the same is hereby, and from this date, cancelled.

C. L. Peel.

(ii.) Light Dues.

(a) *Generally*, p. 303.

(b) *Basses and Minicoy Lighthouses*, p. 306.

(a) Generally.

SCALE AND REGULATIONS, DATED MARCH, 1899, ISSUED BY THE ADMIRALTY AND BOARD OF TRADE UNDER THE MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT 1898§ FOR THE GRANT OF MONEY ALLOWANCES TO SHIPOWNERS (BASED ON THE AMOUNT OF LIGHT DUES PAID) IN RESPECT OF "BOY SAILORS" AVAILABLE FOR NAVAL RESERVE.

[This Order is printed at p. 314 below.]

ORDER IN COUNCIL ALTERING THE SCALE, RULES, AND EXEMPTIONS SET OUT IN SCHEDULE 2 OF THE MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT, 1898.†

1901. No. 599.

At the Court at St. James's, the 24th day of July, 1901.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by Section 5, Sub-section 2, of the Merchant Shipping (Mercantile Marine Fund) Act, 1898,§ it was enacted

* 18 & 19 Vict. c. 91, repealed 57 & 58 Vict. c. 60, s. 745, sch. 22, with special savings for Orders in Council, &c.

† 29 & 30 Vict. c. 39.

‡ But see Order in Council of August 10, 1903, printed at p. 305 below.

§ 61 & 62 Vict. c. 44.

that the scale and rules set out in the second schedule to that Act should have effect for the purpose of the levying of light dues in pursuance of the said Act, but that His Majesty may, by Order in Council, alter, either generally or with respect to particular classes of cases, the scale or rules and the exemptions therefrom :

And whereas it has been made to appear to His Majesty that the said scale, rules, and exemptions should be altered to the extent hereinafter appearing :

Now, therefore, His Majesty, in exercise of the powers vested in him by the above-recited provisions, doth, for the purpose of the levying of light dues in pursuance of the said Act and for no other purpose whatever, alter, by this Order in Council, the scale, rules, and exemptions set out in the said second schedule to the said Act in manner following, that is to say :—

The terms “home-trade sailing ships” and “home-trade steamers” mentioned in the said second schedule under the heading “scale of payments,” and the term “home-trade ship” mentioned in the said second schedule under the heading “rules” shall respectively mean every sailing ship, steamer, and ship employed in trading or going within the following limits, that is to say, the United Kingdom, the Channel Islands and Isle of Man, and the continent of Europe between the River Elbe and Brest inclusive, and between the River Elbe and the north bank of the River Eider inclusive.

The term “home-trade limits” also mentioned in the said second schedule under the heading “Rules” shall, as regards such limits on the continent of Europe, extend to and include that part of the continent of Europe which lies between the River Elbe and the north bank of the River Eider inclusive.

The terms “foreign-going sailing ships” and “foreign-going steamers” mentioned in the said second schedule under the heading “Scale of Payments,” and the term “foreign-going ship” mentioned in the said second schedule under the heading “Rules” shall respectively mean every sailing ship, steamer, and ship employed in trading or going between some place or places in the United Kingdom and some place or places situate beyond the following limits, that is to say, the coasts of the United Kingdom, the Channel Islands and Isle of Man, and the continent of Europe between the River Elbe and Brest inclusive, and between the River Elbe and the north bank of the River Eider inclusive.

Ships making voyages entirely performed in waters in respect of which no lighthouse, buoy or beacon (within the meaning of the Merchant Shipping Act, 1894*) is maintained by a general lighthouse authority at the expense of the general lighthouse fund, shall in respect of such voyages, and yachts

* 57 & 58 Vict. c. 60.

which are laid up during the whole of any year ending 31st March, shall, in respect of the particular year during which such yachts are laid up, be exempted from dues under the said second schedule, in the same manner as if such ships and yachts respectively were mentioned in the said second schedule under the heading "Exemptions," and shall be added to the exemptions specified in the said schedule.

A. W. FitzRoy.

ORDER IN COUNCIL ALTERING THE SCALE SET OUT IN
SCHEDULE 2 OF THE MERCHANT SHIPPING (MERCANTILE
MARINE FUND) ACT, 1898.

1903. No. 675.

At the Court at Buckingham Palace, the 10th day of August,
1903.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by Section 5, Sub-section 2, of the Merchant Shipping (Mercantile Marine Fund) Act, 1898,* it is enacted that the scale and rules set out in the second schedule to that Act shall have effect for the purpose of the levying of light dues in pursuance of that Act, but His Majesty may, by Order in Council, alter, either generally or with respect to particular classes of cases, the scale or rules and the exemptions therefrom :

And whereas it has been made to appear to His Majesty that the said scale should be altered in manner herein-after appearing :

Now, therefore, His Majesty, in exercise of the powers vested in him by the above-recited provisions, doth, for the purpose of the levying of light dues in pursuance of the said Act, alter by this Order in Council the scale set out in the said second schedule to the said Act in manner following, that is to say :—

1. Each of the dues authorised to be levied by the said scale shall be reduced by $12\frac{1}{2}$ per centum of the amounts therein specified, and the said dues as so reduced shall be levied accordingly.

2. This Order in Council shall come into operation as and from the first day of April, 1903.

A. W. FitzRoy.

* 61 & 62 Vict. c. 44.

(b) Basses and Minicoy Lighthouses.

ORDER IN COUNCIL FIXING DUES TO BE LEVIED IN RESPECT OF THE GREAT AND LITTLE BASSES LIGHTHOUSES AND OF THE MINICOY LIGHTHOUSE.

1896. No. 577.

At the Court at Windsor, the 29th day of June, 1896.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Order in Council, dated the 22nd day of May, 1883,* after reciting (amongst other things) that by the Merchant Shipping Act Amendment Act, 1855,† it was enacted that in any case in which any lighthouse, buoy, or beacon, had been or should be thereafter erected or placed on or near the coasts of any British possession by or with the consent of the legislative authority of such possession, Her Majesty might by Order in Council fix such dues in respect thereof to be paid by the owner or master of every ship which passes the same or derives benefit therefrom as Her Majesty might deem reasonable, and might in like manner from time to time increase, diminish, or repeal such dues, and that from the time specified in such Order for the commencement of the dues thereby fixed, increased, or diminished, the same should be leviable throughout Her Majesty's dominions in manner therein-after mentioned: And reciting that lighthouses had, by and with the consent of the legislative authority of the Colony of Ceylon, been constructed and placed on the Great Basses Rock and on the Little Basses Rock ‡ in the said colony, and a light had been exhibited from each of such lighthouses: And reciting that it was proposed to construct a lighthouse on the island of Minicoy between the Maldive and the Laccadive Islands, and to exhibit a light therefrom: And reciting that the legislative authorities of India, Ceylon, the Straits Settlements, and Mauritius had given such consents as were necessary either to the erection of the lighthouses or to the collection of dues in respect thereof: And reciting Section 10 of the Public Works Loan Act, 1881,§ which provided (amongst other things) that so long as any money was due to the Public Works Loan Commissioners on account of any loan under that section, the dues payable in respect of the Great Basses Lighthouse and

* Published in "London Gazette," May 29, 1883, p. 2790.

† 18 & 19 Vict. c. 91, now repealed and consolidated with other Acts by 57 & 58 Vict. c. 60.

‡ See Order in Council of June 30, 1891, printed under the title "Ceylon."
§ 44 & 45 Vict. c. 38.

the Little Basses Lighthouse, or the Minicoy Lighthouse, should be altered only with the consent of the Commissioners of Her Majesty's Treasury : And reciting that it was expedient that provision should be made for the payment of such of the said dues as might be payable in India, Ceylon, the Straits Settlements, and Mauritius, including the Seychelles Islands, in the currency of the respective countries in which they are payable : And reciting that the Lords Commissioners of Her Majesty's Treasury had signified their consent to the dues specified in the two schedules annexed to the Order now in recital : And reciting that the several classes of ships therein particularly specified would pass the said Great Basses Lighthouse and the said Little Basses Lighthouse, and would derive benefit therefrom : And reciting that the several classes of ships therein also particularly specified would pass the said Minicoy Lighthouse, and would derive benefit therefrom : Her Majesty, by the said Order now in recital, was pleased to direct that from and after the date of such Order the dues specified in the schedule marked A., thereunto annexed, should be levied in respect of the Great Basses Lighthouse and the Little Basses Lighthouse : And that from and after the first exhibition of a light from the said Minicoy Lighthouse, the dues specified in the schedule marked B., thereunto annexed, should be levied in respect thereof :

And whereas all advances made by the Public Works Loan Commissioners in respect of the Great Basses Lighthouse, the Little Basses Lighthouse, and the Minicoy Lighthouse, have been repaid :

And whereas by an Order in Council, dated the 9th day of May, 1892,* Her Majesty was pleased to direct that from the time therein mentioned the dues theretofore levied in respect of the said lighthouses under the herein-before recited Order of the 22nd day of May, 1883,† should be subject to an abatement or discount of 50 per centum :

And whereas by the Merchant Shipping Act, 1894,‡ the Merchant Shipping Act Amendment Act, 1855,§ has been repealed, but the herein-before recited provisions of such last-mentioned Act are re-enacted and continued by the said Merchant Shipping Act, 1894 :

And whereas it has been made to appear to Her Majesty to be expedient that the amount of the dues specified in the schedules marked A. and B. annexed to the said recited Order of the 22nd day of May, 1883,† as altered by the said recited Order of the 9th day of May, 1892,* should be varied by diminishing the same in manner herein-after mentioned :

* Printed in Statutory Rules and Orders, 1892, p. 22.

† Published in "London Gazette," May 29, 1883, p. 2790.

‡ 57 & 58 Vict. c. 60.

§ 18 & 19 Vict. c. 91.

And whereas the provisions of Section 1 of the Rules Publication Act, 1893,* have been complied with :

Now, therefore, Her Majesty, in exercise of the powers vested in her by the said recited Acts, or either of them, doth by this Order in Council fix the dues to be paid in respect of the Great Basses Lighthouse and the Little Basses Lighthouse at *three-eighths of one penny*† per ton of the burden of every ship on every voyage in which she passes or derives benefit from the said lights, that is to say :—

Every ship which, in the same voyage by the southward of Ceylon, shall cross a line drawn from the southernmost point of Ceylon to the north-westernmost point of the Island of Sumatra, and also a line from the southernmost point of Ceylon to Cape Guardafui on the eastern coast of Africa, and *vice versa*.

Every ship which, in any voyage to or from any place in the Maldivé Islands, shall cross a line drawn from the southernmost point of Ceylon to the north-westernmost point of Sumatra.

Every ship which, in any voyage from any port on the eastern coast of Africa south of Cape Guardafui, or from any port in Madagascar, Bourbon, Mauritius, or any island adjacent to the same, including the Seychelles and the Chagos Island, or in any voyage in which such ship shall have rounded the Cape of Good Hope eastward, shall cross a line drawn from the southernmost point of Ceylon to the southernmost point of the coast of Tenassarín, and shall, between the 1st day of April and the 30th day of September, both included, arrive at any port situated north of such line.

Every ship which having departed between the 1st day of October and the 31st day of March, both included, from any port situated to the northward of such last-mentioned line, and also to the westward of the nineteenth meridian of longitude east from Greenwich, in any voyage to any port on the eastern coast of Africa south of Cape Guardafui, or to any port in Madagascar, Bourbon, Mauritius, or any island adjacent thereto, including the Seychelles and the Chagos Islands, or in any voyage in which such ship shall round the Cape of Good Hope westward, shall cross the latitude of the Great Basses Lighthouse, or the Little Basses Lighthouse on the eastward side of the said lighthouse.

And further Her Majesty doth by this Order in Council fix the dues to be paid in respect of the Minicoy Lighthouse at *one-eighth of one penny*‡ per ton of the burden of every ship

* 56 & 57 Vict. c. 66.

† Altered to "three-sixteenths of one penny" by Order in Council of August 10, 1903, printed at p. 309 below.

‡ Altered to "one-sixteenth of one penny" by Order in Council of August 10, 1903, printed at p. 309 below.

on every voyage in which she passes or derives benefit from the said light, that is to say :—

Every ship which in any voyage shall or may pass between the Laccadive Islands and the Maldive Islands through the channel known as the nine degree channel north of Minicoy Island, or through that known as the eight degree channel south of Minicoy Island.

And further Her Majesty is pleased to direct that the dues hereby fixed shall be subject to an abatement or discount of 25 per centum.

And further that when the said dues are paid or collected in India, Ceylon, Mauritius, or the Seychelles Islands, the same may be paid in the currency of those countries at the rate fixed for the time being by the Lords Commissioners of Her Majesty's Treasury for the adjustment of accounts between the Imperial and Indian Governments.

And further that when the said dues are paid or collected in the Straits Settlements, the same may be paid in the currency of that country according to the current rate or value of the dollar in English currency at the port where the said dues are paid or collected.

And lastly Her Majesty is pleased to order and direct that this Order shall come into operation and take effect on and after the 1st day of July, 1896, or from the time of the receipt of the notice of this Order (if that be later) by the officers authorised to collect light dues, from which dates respectively the dues specified in the schedules annexed to the said Order of the 22nd day of May, 1883,* and altered by the said Order of the 9th day of May, 1892,† shall cease to be levied.

C. L. Peel.

ORDER IN COUNCIL REDUCING THE DUES TO BE LEVIED
IN RESPECT OF THE GREAT AND LITTLE BASSES LIGHT-
HOUSES AND OF THE MINICOY LIGHTHOUSE.

1903. No. 676.

At the Court at Buckingham Palace, the 10th day of August,
1903.

PRESENT:

The King's Most Excellent Majesty in Council.

Whereas by Section 670 of the Merchant Shipping Act, 1894,‡ it is enacted that when any lighthouse, buoy, or beacon has either before or after the passing of that Act been erected or placed on or near the coasts of any British possession by or with the consent of the legislature of that possession, His

* Published in the "London Gazette," May 29, 1883, p. 2790.

† Printed in Statutory Rules and Orders, 1892, p. 22.

‡ 57 & 58 Vict. c. 60.

Majesty may by Order in Council fix such dues (in that Act referred to as colonial light dues) to be paid in respect of that lighthouse, buoy, or beacon by the owner or master of every ship which passes the same and derives benefit therefrom as His Majesty may deem reasonable, and may by like Order increase, diminish, or repeal such dues, and those dues shall from the time mentioned in the Order be leviable throughout His Majesty's dominions, and further that colonial light dues shall not be levied in any British possession unless the legislature of that possession has by address to the Crown, or by Act or ordinance duly passed, signified its opinion that the dues ought to be levied :

And whereas the Great Basses Lighthouse, the Little Basses Lighthouse, and the Minicoy Lighthouse are light-houses which have been duly erected under and pursuant to the said section :

And whereas by Orders in Council dated respectively the 22nd day of May, 1883,* the 9th day of May, 1892,† and the 29th day of June, 1896,‡ His Majesty duly fixed the dues leviable in respect of the said lighthouses for the classes of ships therein respectively mentioned :

And whereas under Section 10 of the Public Works Loans Act, 1881,§ and the Acts therein referred to certain loans became due to the Public Works Loan Commissioners in respect of the said lighthouses, and it was by the said section enacted that so long as that were the case the dues payable in respect of the said lighthouses should be altered only with the consent of the Commissioners of His Majesty's Treasury :

And whereas it has been made to appear to His Majesty that all loans made by the Public Works Loan Commissioners for the purposes mentioned in the said Acts have been repaid and that it is expedient that the amount of the said dues should be reduced in manner herein-after mentioned :

Now, therefore, His Majesty, in exercise of the powers vested in him by the said Section 670 of the Merchant Shipping Act, 1894, is pleased to direct that from and after the first day of October, 1903, or from the time of the receipt of notice of this Order, if that be later, by the officers authorised to collect light dues, the dues thenceforth to be levied shall be as follows, that is to say, in respect of the Great Basses Lighthouse and the Little Basses Lighthouse, three-sixteenths of one penny per ton, and in respect of the Minicoy Lighthouse one-sixteenth of one penny per ton, of the burden of every ship on every voyage in which she passes or derives benefit from the said lights respectively, and such dues shall be levied in lieu of the dues leviable under the said recited Orders in Council or any of them.

A. W. FitzRoy.

* Published in "London Gazette," May 29, 1883, p. 2,790.

† Printed in Statutory Rules and Orders, 1892, p. 22.

‡ Printed at p. 306 above.

§ 44 & 45 Vict. c. 38.

9. Miscellaneous.

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| (a) <i>Exercise of Consular Powers in British Protectorates</i> , p. 1. | (b) <i>Colonial Legislation</i> , p. 313.
(c) <i>Boy Sailors for Naval Reserve</i> , p. 314. |
|---|---|

(a) Exercise of Consular Powers in British Protectorates.*

ORDER IN COUNCIL PROVIDING FOR THE EXERCISE IN THE GILBERT AND ELLICE ISLANDS AND THE SOLOMON ISLANDS OF THE POWERS OF A BRITISH CONSULAR OFFICER UNDER THE MERCHANT SHIPPING ACT, 1894.

1897. No. 884.

At the Court at Windsor, the 26th day of November, 1897.

PRESENT :

The Queen's Most Excellent Majesty,
Lord President,
Lord Privy Seal,
Mr. Ritchie.

Whereas by Section 737 of the Merchant Shipping Act, 1894,† it is provided that where under that Act anything is authorised to be done by, to, or before a British Consular officer, and in any place outside Her Majesty's dominions in which Her Majesty has jurisdiction there is no such officer, such thing may be done in that place by, to, or before such officer as Her Majesty in Council may direct :

And whereas the groups of islands known as the Gilbert and Ellice Islands and the Solomon Islands respectively are places outside Her Majesty's dominions in which Her Majesty has jurisdiction, but in which there is no British Consular officer :

And whereas it has been made to appear to Her Majesty that it is expedient that the officers herein-after named should exercise and perform in the said groups of islands the powers and duties of a British Consular officer under the said Merchant Shipping Act, 1894.

Now, therefore, Her Majesty in Council, by virtue of the power vested in her by Section 737 of the Merchant Shipping Act, 1894,† is pleased to direct that anything which is under that Act authorised to be done by, to, or before a British Consular officer, may be done in each of the groups of islands

* See also provisions of Orders in Council printed under the title "Foreign Jurisdiction."

† 57 & 58 Vict. c. 60.

known as the Ellice and Gilbert Islands and the Solomon Islands, so far as they are British respectively, by, to, or before the officer for the time being acting as Deputy Commissioner or Resident in each of those groups respectively.

C. L. Peel.

ORDER IN COUNCIL PROVIDING FOR THE EXERCISE, IN THE
NEW HEBRIDES, OF THE POWERS OF A BRITISH CON-
SULAR OFFICER UNDER THE MERCHANT SHIPPING ACT,
1894.*

1903. No. 416.

At the Court at Buckingham Palace, the 20th day of
May, 1903.

PRESENT :

The King's Most Excellent Majesty,
Lord President, Lord Steward,
Marquess of Londonderry, Earl of Onslow.

Whereas by Section 737 of the Merchant Shipping Act, 1894,* it is provided that where under that Act anything is authorised to be done by, to, or before a British Consular officer, and in any place outside His Majesty's dominions in which His Majesty has jurisdiction there is no such officer, such thing may be done in that place, by, to, or before such officer as His Majesty in Council may direct :

And whereas the islands known as the New Hebrides are places outside His Majesty's dominions in which His Majesty has jurisdiction, but in which there is no Consular officer :

And whereas it has been made to appear to His Majesty that it is expedient that the officer herein-after named should exercise and perform in the said islands the powers and duties of a British Consular officer under the said Merchant Shipping Act, 1894.*

Now, therefore, His Majesty in Council, by virtue of the power vested in him by Section 737 of the Merchant Shipping Act, 1894,* is pleased to direct that anything which is under that Act authorised to be done by, to, or before a British Consular officer, may be done in the islands known as the New Hebrides, by, to, or before the officer for the time being acting as resident Deputy Commissioner for these islands.

A. W. Fitzroy.

* 57 & 58 Vict. c. 60.

(b) Colonial Legislation.***ORDER IN COUNCIL CONFIRMING ORDINANCES OF THE
LEGISLATURE OF HONG KONG REPEALING CERTAIN
PROVISIONS OF THE MERCHANT SHIPPING ACT, 1894.†**

1903. No. 674.

At the Court at Buckingham Palace, the 10th day of
August, 1903.

PRESENT :

The King's Most Excellent Majesty.
Lord President,
Earl of Kintore,
Lord Balfour of Burleigh.

Whereas it is provided by the Merchant Shipping Act, 1894,† that the legislature of any British possession may, by an Act or Ordinance, confirmed by His Majesty in Council, repeal, wholly or in part, any provisions of that Act (other than those of the third part thereof which relate to emigrant ships) relating to ships registered in that possession ; but that any such Act or Ordinance shall not take effect until the approval of His Majesty has been proclaimed in the possession, or until such time thereafter as may be fixed by the Act or Ordinance for the purpose.

And whereas the legislature of the colony of Hong Kong, by certain Ordinances entitled respectively the Merchant Shipping Consolidation Ordinance, 1889, the Merchant Shipping Amendment Ordinance, 1901, and the Merchant Shipping Amendment Ordinance, 1903, and in particular by Section 35 of the aforesaid Merchant Shipping Ordinance, 1901, has in part repealed the provisions of the said Act, other than those of the third part thereof which relate to emigrant ships :

And whereas it is expedient that the said Ordinances should be confirmed by His Majesty in Council :

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to confirm the said Ordinances.

A. W. FitzRoy.

* The following is a list of Acts and Ordinances passed by colonial legislatures in accordance with provisions now reproduced in Sections 264 and 735 of the Merchant Shipping Act, 1894, applying or varying certain portions of the former Merchant Shipping Acts. Such Acts have the same effect in relation to the corresponding provisions of the Act of 1894 as they had on the provisions of the former Acts :—Barbados, No. 54 of 1891-2 ; Canada, Revised Statutes, Nos. 72, 73, 74, 77, No. 40 of 1891, and No. 22 of 1893 ; Cape of Good Hope, No. 13 of 1855, No. 3 of 1863, No. 13 of 1874 ; Ceylon, No. 7 of 1863 ; Hong Kong, No. 26 of 1891 ; Newfoundland, Consolidated Statutes, No. 97 ; New Zealand, No. 54 of 1877 ; South Australia, No. 237 of 1881 ; Straits Settlements, No. 1 of 1859 ; Tasmania, No. 7 of 1859 ; Trinidad, No. 8 of 1883 ; Victoria, No. 1165 of 1890.

† 57 & 58 Vict. c. 60.

(c) "Boy Sailors" for Naval Reserve.

SCALE AND REGULATIONS, DATED MARCH, 1899, ISSUED BY THE ADMIRALTY AND BOARD OF TRADE UNDER THE MERCHANT SHIPPING (MERCANTILE MARINE FUND) ACT, 1898,* FOR THE GRANT OF MONEY ALLOWANCES (BASED ON THE AMOUNT OF LIGHT DUES PAID) TO SHIPOWNERS IN RESPECT OF "BOY SAILORS," AVAILABLE FOR NAVAL RESERVE.

1. An allowance equal to 20 per cent. of the light dues paid in any one year in respect of any one vessel will be granted at the end of each financial year (during which the vessel must have been not less than nine months with articles of agreement running) to the then owner of that vessel, provided it carries on each voyage "boy sailors" according to the following scale:—

Under 500 tons net	...	...	1 boy,
500 and under 1,000 tons net	...	2 boys,	
1,000 and under 2,000 tons net	...	3 boys,	

and an additional boy for every 1,000 tons or portion of 1,000 tons net.

NOTE.—Any vessel, no matter what its tonnage, carrying six boy sailors shall be entitled to the maximum allowance of 20 per cent. of the light dues paid.

2. The owner of a vessel who has employed a smaller number of boys than that required by the scale for a vessel of its tonnage will be granted an allowance as if the vessel had been of the maximum tonnage of vessels for which that number of boys is assigned in the scale, *e.g.*, if a vessel of 1,050 tons carries two boys, the owner will receive an allowance calculated as if her tonnage was 999 tons; and when a boy's period of service commences or terminates otherwise than at the commencement or termination of a financial year, a proportionate allowance may, if the Board of Trade are satisfied as to the circumstances, be granted in respect of such period.

3. In order that the allowance may be obtained, each "boy sailor" must—

- (1.) be a British subject (not being a Lascar), able to speak and understand English;
- (2.) be enrolled in a special class of the naval reserve, to be called the "Probationer" Class, and undertake to join the "Seaman" class reserve under the Reserve Volunteer Force Act, 1859 (22 & 23 Vict. c. 40), as soon as qualified;
- (3.) be over 15 and under 18 years of age at time of first enrolment;

* 61 & 62 Vict. c. 44.

- (4.) be a deck hand ;

N.B.—No allowance will be granted in respect of any paying apprentices or midshipmen carried with a view to being trained to become certificated officers, nor in respect of boys carried as mess room stewards either in the engineers' or stewards' department. This is not, however, to be understood as directed against the advancement of any boy sailor to any rank for which he may qualify himself.

4. A boy will not be medically examined prior to enrolment unless he appears to the superintendent of a mercantile marine office to be undersized as regards both height and chest measurement, or to be weakly and apparently unfit for sea life.

NOTE.—The cost of the examination will be paid out of voted monies.

5. Boys enrolled in this special class will not be liable to be "called out." They will not be called upon to attend drill until they have passed into the "Seaman" Class Reserve, and will not be paid retainers or receive uniform.

NOTE.—Probationers will be eligible for advancement to the "Seaman" Class when they reach the age of 18 years, provided they have followed a seafaring life for two years.

The advantages offered are as follows :—

(1.) Each man enrolled in the "Seaman" Class will receive £3 5s. a year as a retainer, two suits of clothes during his five years' engagement, and whilst on drill 2s. 9d. a day, drill pay and allowances.

(2.) As soon as he has performed 28 days' drill, he will, if favourably reported upon, be allowed to commence 6 months' naval training, upon the satisfactory completion of which he will be advanced to the "qualified seaman" class at the age of 20, provided he has passed the necessary examinations.

(3.) He will then receive £6 a year as a retainer, a suit of clothes every five years, and whilst on drill 3s. 1d. a day, drill pay and allowances. He will also, provided he undergoes a further period of 6 months' naval training, and subject to the due performance of his duties as a member of the reserve, be granted a deferred pension certificate on completing his last term of drill, which will entitle him to a pension of £12 a year at the age of 60, or previously if incapacitated.

6. No allowance will be granted in respect of any "boy sailor" over 19 years of age, or for a longer period than three years from the date of the first enrolment of such "boy sailor."

NOTE.—Every boy will, on enrolment as a "boy sailor," receive an enrolment book, R.V. 2, giving his name, description, &c., and providing space for a record of his employment.

This book the boy will produce to the superintendent of a mercantile marine office on every engagement and discharge, in order that the required entries may be made.

7. The superintendent of every mercantile marine office shall keep a register of boys applying to go to sea as "boy sailors," and such registers will be open to inspection by ship-owners and masters desirous of engaging boys in respect of whom money allowances will be granted under Section 6 of the Merchant Shipping (Mercantile Marine Fund) Act, 1898.

NOTE.—Large posters stating the advantages of the reserve will be exhibited at once in all the mercantile marine offices and throughout seaport towns; and if the supply of boys is not sufficient, arrangements will be made with the post office and school authorities to exhibit similar posters.

Smaller bills will also be distributed.

8. Any probationer may be dismissed from the reserve for—

- (a) Neglect or omission to make the regular appearances before some registrar, and for misconduct when appearing before a registrar on business connected with the reserve.
- (b) Repeated or aggravated desertion from merchant ships.
- (c) Producing false certificates or making false statements at the time of, or subsequent to, enrolment.
- (d) Serving in a false name.
- (e) Conviction in a court of law or justice.
- (f) Pledging his certificate R.V. 2 as security for debt.

9. All claims for the allowance should be sent to the Board of Trade, with a statement of the services in respect of which such claim is made.

Marine Department,
Board of Trade,
March, 1899.

METROPOLITAN POLICE COURTS.

- | | |
|----------------------------------|----------------------|
| 1. <i>Jurisdiction</i> p. 1. | 3. <i>Fees</i> p. 9. |
| 2. <i>Police Court Divisions</i> | |
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1. Jurisdiction.

(a) Lunacy Petitions.

RULES DATED MARCH 31, 1890, MADE BY THE SECRETARY OF STATE UNDER SECTION 338 SUB-SECTION 4 OF THE LUNACY ACT, 1890.*

[The Rules are printed under the title "Lunatic, England."]

(b) Pilotage Appeals.

RULES, DATED MARCH 14, 1890, MADE BY THE SECRETARY OF STATE FOR THE HEARING OF STIPENDIARY MAGISTRATES AND METROPOLITAN POLICE MAGISTRATES OF APPEALS UNDER SECTION 4 OF THE MERCHANT SHIPPING PILOTAGE ACT OF 1889.†

[These Rules are printed under the title "Stipendiary Magistrate."]

2. Police Court Divisions.

ORDER IN COUNCIL ALTERING AND DEFINING THE BOUNDARIES OF ALL THE POLICE COURT DIVISIONS.

1903. No. 999.

L. 20.

At the Court at Buckingham Palace, the 16th day of November, 1903.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas by an Act passed in the Session of Parliament held in the second and third years of Her late Majesty's reign, intituled "An Act for regulating the Police Courts in the Metropolis,"‡ it was, amongst other things, enacted that it should be lawful for Her Majesty, with the advice of Her Privy

* 53 & 54 Vict. c. 5.

† 52 & 53 Vict. c. 68

‡ The Metropolitan Police Courts Act, 1839 (2 & 3 Vict. c. 71).

Council, to alter the number of the Police Courts, and to order such changes to be made of the places in which they should be holden within the Metropolitan Police District as should be found expedient, and every such court should henceforth be holden in the place in or to which it should be so ordered to be established or removed; and whereas also, by an Act passed in the Session of Parliament held in the third and fourth years of Her said Majesty's reign, intituled "An Act for better defining the powers of justices within the Metropolitan Police District,"* it was, amongst other things, enacted that it should be lawful for Her Majesty, with the advice of Her Privy Council, from time to time to constitute within the Metropolitan Police District as many Police Court Divisions as to Her Majesty should seem fit, and to define the extent thereof, and from time to time to alter the number and extent of such Police Court Divisions, and to assign a division to each of the police courts already established, and to establish a police court for each of the other divisions:

And whereas by divers Orders in Council made under the said Acts, so many Police Court Divisions as to Her said Majesty from time to time has seemed fit have been constituted within the Metropolitan Police District and the extent thereof defined respectively, and such divisions have been severally assigned to each of the police courts continued or established under the said Acts:

And whereas alterations have been made in certain of the boundaries of parishes and areas comprised within some of the said divisions, and it is expedient that the extent of the said divisions so assigned as aforesaid and their respective boundaries should be defined in one Order in Council:

Bow Street Police Court.

His Majesty is pleased, therefore, with the advice of His Privy Council, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the boundary of the City of London, at the Temple Stairs, on the River Thames, in a line running along the said boundary as far as Holborn; thence across Holborn to Gray's Inn Road: thence along the centre of Gray's Inn Road to Guilford Street; thence along the centre of Guilford Street to Russell Square; thence along the East side of Russell Square to Woburn Place; thence along the centre of Woburn Place to the Euston Road; thence westward along the centre thereof to Tottenham Court Road; thence southward along the centre thereof, and of High Street, Great and Little Saint Andrew Streets, and

* The Metropolitan Police Courts Act, 1840 (3 & 4 Vict. c. 84).

Saint Martin's Lane, to Trafalgar Square; thence westward, including the said Square, to Pall Mall, and along the centre thereof, and of Cleveland Row, to the boundary of the Green Park; thence along the boundary thereof, and of Saint James's Park (including Buckingham Palace and grounds), to Storey's Gate; thence along the centre of Great George Street and Bridge Street to the River Thames, on the North side of Westminster Bridge; and thence along the said river to the Temple Stairs aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Bow Street Police Court.

Clerkenwell Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the point in Holborn where the boundary of the City of London coincides with the boundary of the Division assigned to the Bow Street Police Court by this Order, along the last-mentioned boundary to Seymour Street; thence along the centres of Seymour Street, High Street, Camden Town, Camden Road, Brecknock Road, and Dartmouth Park Hill to Chester Road; thence in a westerly direction along the centres of Chester Road and Swain's Lane to Highgate Road; thence northward along the centres of Highgate Road, West Hill, and South Grove (West), to the boundary of the County of London at High Street, Highgate; thence eastward along the said County boundary to Highgate Hill; thence southward along the centres of Highgate Hill, Holloway Road, Saint Paul's Road, Canonbury Road, New North Road, and Shepperton Road to the Regent's Canal at Rosemary Branch Bridge; thence along the centre of the said Canal to Danbury Street Bridge; thence along the centres of Sudeley Street, and Nelson Terrace to the City Road, and across the City Road to Sidney Street; thence along the centre of Sidney Street to Goswell Road; thence southward along the centre of Goswell Road to the boundary of the City of London at Fann Street; and thence westward along the said boundary to the boundary of the Bow Street Division in Holborn aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Clerkenwell Police Court.

Worship Street Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that

the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the boundary of the City of London at Fann Street aforesaid, and thence eastward along the said boundary to Whitechapel High Street; thence in a line running eastward along the centres of Whitechapel High Street, Whitechapel Road and Mile End Road to Globe Road; thence along the centre of Globe Road to the southern side of the Great Eastern Railway; thence eastward along the same to the point where it crosses the boundary of the County of London; thence northward along the said boundary to the River Lea; thence down the said river to the mouth of the Hackney Cut; thence along the centre of the Hackney Cut to the Hertford Union Canal; thence along the centre of the said Canal to Cadogan Terrace, Victoria Park; thence along the centre of Cadogan Terrace to Victoria Park Road; thence westward along the centres of Victoria Park Road, and Mare Street to the Regent's Canal at Cambridge Heath Bridge; thence westward along the centre of the said Canal to Rosemary Branch Bridge; and thence along the boundary of the Division assigned to the Clerkenwell Police Court by this Order to the boundary of the City of London at Fann Street aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Worship Street Police Court.

Thames Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the River Thames at Tower Stairs, in a line running along the boundary of the City of London to Whitechapel High Street; thence eastward along the boundary of the Division assigned by this Order to the Worship Street Police Court, to the boundary of the County of London; thence southward along the boundary last aforesaid to the River Thames; and thence along the said River to Tower Stairs aforesaid, shall, from after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Thames Police Court.

North London Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from Rosemary Branch Bridge northwestward,

along the eastern boundary of the Division assigned to the Clerkenwell Police Court by this Order, to the boundary of the County of London at Highgate Hill; thence eastward along the last-mentioned boundary to Dickinson Road; thence along the said Road, Elm Grove, Womersley Road, Dashwood Road, and Ridge Road, to the Great Northern Railway; thence in a straight line to the western end of Seymour Road; thence along the said road, Green Lanes, Saint Ann's Road, and Stamford Hill to the Western end of Bayley's Lane; thence eastward along the boundary of the County of London, and by the said boundary to the point below the southern extremity of the East London Waterworks reservoir where it meets the boundary of the Division assigned to the Worship Street Police Court by this Order; and thence northward and westward along the last-mentioned boundary to Rosemary Branch Bridge aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the North London Police Court.

Marlborough Street Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District, (that is to say), from the Victoria Gate, Hyde Park, in a line running eastward along the boundary of the park to Oxford Street; thence along the said street (including both sides thereof) to Regent Street; thence northward along the centre thereof, and of Langham Place, Portland Place, and the eastern portion of Park Crescent to Euston Road; thence along the centre thereof to Tottenham Court Road; thence along the boundary of the Division assigned by this Order to Bow Street Police Court, as far as Hyde Park Corner; thence along the centre of Knightsbridge and Kensington Gore, and along the southern, western and northern boundaries of Kensington Gardens and Kensington Palace to Victoria Gate aforesaid, shall from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Marlborough Street Police Court.

Marylebone Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District, (that is to say), from the Victoria Gate, Hyde Park, in a line

running eastward and northward along the boundaries of the Divisions assigned by this Order to the Marlborough Street, Bow Street, and Clerkenwell Police Courts respectively, as far as Chester Road in Dartmouth Park Hill; thence along Chester Road to Swain's Lane; thence along Swain's Lane to Highgate Road; thence along Highgate Road to the boundary of the County of London at High Street, Highgate; thence westward along the said boundary to the boundary of the parish and borough of Hampstead; thence southward along the said boundary to the Hampstead Junction Railway; and thence westward along the south side of the said Railway to Hampstead Heath Station; thence along the east side of Southend Road to Pond Street and along the south side of Pond Street, to Saint Stephen's Church, Hampstead Green; thence along Lyndhurst Road, Fitzjohn's Avenue, Arkwright Road, Finchley Road, West End Lane, and Mill Lane, to the boundary of the County of London at Shootup Hill, Edgware Road; thence along Edgware Road to the Brondesbury Station of the Hampstead Junction Railway; thence along the southern side of that Railway, to the Salusbury Road; thence along Salusbury Road to the boundary of the County of London at Kilburn Lane; thence along the said boundary and Ladbroke Grove to the Uxbridge Road; thence eastward along the Uxbridge Road to the boundary of the Division assigned by this Order to the Marlborough Street Police Court, and eastward along that boundary to Victoria Gate, Hyde Park, aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Marylebone Police Court.

West London Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the parishes of Hammersmith and Fulham, within the County of London, the parishes of Acton and Chiswick, within the County of Middlesex, and so much of the Parish of Kensington as is included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the point where the West London Extension Railway crosses the Fulham Road, northward along the boundaries of the parishes of Fulham and Hammersmith to the North-west corner of Kensal Green Cemetery; thence eastward along the Harrow Road to the boundary of the Division assigned by this Order to the Marylebone Police Court; thence southward and eastward along the boundaries of the Divisions assigned by this Order to the Marylebone and Marlborough Street Police Courts respectively, to

Queen's Gate; thence along Queen's Gate, Onslow Gardens, and Selwood Terrace to the Fulham Road; thence westward along the Fulham Road to the aforesaid point where the West London Railway crosses the said road shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the West London Police Court.

Westminster Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the River Thames on the south side of Westminster Bridge, in a line running westward along the boundary of the Division assigned to Bow Street Police Court by this Order, as far as Hyde Park Corner; thence along the centres of Knightsbridge Road, Kensington Road, and Kensington Gore, to Queen's Gate; thence southward along the boundary of the division assigned by this Order to the West London Police Court to Fulham Road; thence along the boundary of the Parish of Chelsea to the River Thames; and thence along the River Thames to the point at which the Parishes of Lambeth and Battersea meet on the right bank of the River; thence along the line dividing the Parish of Lambeth from the Parishes of Battersea and Clapham to the Clapham Road; thence eastward along Clapham Road, Kennington Park Road, Kennington Road, and Westminster Bridge Road, to the south side of Westminster Bridge aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Westminster Police Court.

South Western Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the Parishes of Putney, Wandsworth, Battersea, Clapham, Tooting Graveney (sometimes called Tooting), the Hamlet of Roehampton, the Parish of Streatham (except so much thereof as lies immediately to the north of a line drawn along the centres of Streatham Place, Christchurch Road, and Thurlow Park Road, from the parish boundary of Clapham to the parish boundary of Camberwell) and also so much of the Parish of Lambeth as lies to the south of the said line, all being within the Metropolitan Police District, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the South Western Police Court.

Lambeth Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the point where the Clapham Road crosses the eastern boundary of the Parish of Clapham, along the line dividing Clapham and Lambeth Parishes, and Clapham and Streatham Parishes to Streatham Place; thence eastward along the centres of Streatham Place, Christchurch Road, and Thurlow Park Road, to the western boundary of the Parish of Camberwell; thence southward along the line dividing Lambeth and Camberwell Parishes to the point where such Parishes cease to join each other; thence northward along the eastern boundary of the Parish of Camberwell, to the Old Kent Road, thence along the centres of Old Kent Road, New Kent Road, Saint George's Road, Westminster Bridge Road, Kennington Road, Kennington Park Road, and Clapham Road, to the boundary of the Parish of Clapham aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Lambeth Police Court.

Southwark Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the space included within the following boundary, the same being within the Metropolitan Police District (that is to say), from the River Thames at Westminster Bridge, along the centre of Westminster Bridge, along the centre of Westminster Bridge Road, and the north-eastern boundary of the Division assigned by this Order to the Lambeth Police Court to the line which divides the Parishes of Camberwell and Saint Paul, Deptford; thence northward along the said line to the boundary of the Parish of Rotherhithe; thence along the said boundary to the River Thames; thence along the said River to Westminster Bridge aforesaid, shall, from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Southwark Police Court.

Greenwich Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the Parishes of Greenwich, Saint Nicholas Deptford, Saint Paul Deptford, Lewisham and Lee, the same being within the Metropolitan Police District, shall from and

after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Greenwich Police Court.

Woolwich Police Court.

And His Majesty is further pleased, with the advice aforesaid, to order, and it is hereby ordered accordingly, that the Parishes of Plumstead, Woolwich, Charlton, and Eltham, and the Liberty of Kidbrooke, the same being within the Metropolitan Police District, shall from and after the 31st day of December, 1903, constitute a Police Court Division, and be assigned to the Court called the Woolwich Police Court.

All Orders herein-before referred to as made under the said Acts, so far as they relate to the constitution and extent of the several Police Court Divisions affected by this Order, are hereby revoked as from the said 31st day of December, 1903, on which day this Order shall come into force.

A. W. FitzRoy.

(3) Fees.

ORDERS OF THE SECRETARY OF STATE BRINGING THE METROPOLITAN POLICE COURT ACT, 1897,* INTO FORCE.

In pursuance of Section 10 of the Metropolitan Police Courts Act, 1897, I hereby order that the said Act, with the exception of the provisions contained in Section 6, and so much of Section 9 as relates to the Act, 30 and 31 Vict. c. 63,† shall come into operation on the first day of October, 1897.

M. W. Ridley.

One of Her Majesty's Principal Secretaries of State.

Home Office, Whitehall,
September 28, 1897.

In pursuance of Section 10 of the Metropolitan Police Courts Act, 1897, I hereby order that the provisions contained in Section 6 of the same Act, and so much of Section 9 as relates to the Act, 30 and 31 Vict. c. 63,† shall come into operation on the 1st day of April, 1898.

M. W. Ridley,

One of Her Majesty's Principal Secretaries of State.

Home Office, Whitehall,
March 4, 1898.

* 60 & 61 Vict. c. 26.

† The Chatham and Sheerness Stipendiary Magistrate Act, 1867.

TABLE OF FEES AND ALLOWANCES, DATED MARCH 31, 1898,
MADE BY THE SECRETARY OF STATE UNDER THE
METROPOLITAN POLICE COURTS ACT, 1897.*

The payment of all fees to be by stamps to be issued by the Chief Clerk of the Court, except in the case of fees chargeable for copies of depositions furnished for the defence after committal.

Allowance— *s. d.*

Of parish rates of any kind	-	-	-	2	0
Of any annual account-	-	-	-	2	0
N.B.—To include the oath when administered.					

Appointment—

Of overseer, constable, or other district or parish officer	-	-	-	1	0
For every copy thereof	-	-	-	1	0
Every other appointment directed by statute	-	-	-	1	0

Apprenticeship—

For allowance or approval of indentures, each pair	3	0
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Case—

For drawing case and copy, where the case does not exceed five folios of 90 words each	-	-	10	0
Where the case exceeds five folios, then for every additional folio	-	-	1	0

Certificate—

Of refusal of case	-	-	-	2	0
(20 and 21 Vict., cap. 43.)†					
Of any other kind required by statute	-	-	-	1	0
(Except certificates of expenses and those for the use of Government Departments.)					
Of conviction or acquittal of soldier	-	-	-	3	0
(Army Act, 1881, s. 164.);					

Declaration (including Exhibits)—

For every declaration, except those relating to lost duplicates of articles under 20s., and except those made for the use of public offices or departments, or for charitable purposes	-	-	1	0
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* 60 & 61 Vict. c. 26.

† The Summary Jurisdiction Act, 1857.

‡ 44 & 45 Vict. c. 58.

	Fees.	11
<i>Deserted Premises (any rental)—</i>		<i>s. d.</i>
Each Warrant	- - - - -	2 0
Record	- - - - -	10 6
<i>Distress—</i>		
Warrant of	- - - - -	3 0
<i>Indorsing—</i>		
A publican's licence	- - - - -	2 6
(Under 5 and 6 Vict., cap. 44.)*		
<i>Licence—</i>		
To child to take part in public entertainment	-	2 6
(Prevention of Cruelty to Children Act, 1894,† Sec. 3.)		
<i>Oath—</i>		
For every affidavit where necessary and required, except in the matters herein enumerated	-	1 0
N.B.—No fee to be taken for any affidavit to obtain allowance of sick pay from a Friendly Society or charitable fund, nor for the attesta- tion of recruits, nor for swearing-in special constables.		
<i>Order—</i>		
Every Order directed by statutes, if in writing	-	2 0
Removal of paupers to place of settlement	-	2 0
Each duplicate or copy thereof	- - -	1 0
To suspend on account of pauper illness, or dupli- cate or copy thereof	- - -	1 0
For taking-off suspension	- - -	1 0
<i>Recognizance—</i>		
To be taken in pursuance of 20 and 21 Vict., cap. 43	- - - - -	5 0
Every enlargement or renewal thereof	-	2 6
To appear before a magistrate, or to take trial	-	2 6
To keep the peace, or to be of good behaviour	-	2 0
<i>Summons—</i>		
Every summons	- - - - -	2 0
Except those mentioned in 25 and 26 Vict., cap. 102,† Sec. 18; then	- - - - -	1 0

* The Licensing Act, 1842.

† 57 & 58 Vict., c. 41.

‡ The Metropolis Management Amendment Act, 1862.

*Supersedeas—**s. d.*

For every supersedeas	-	-	-	-	3	0
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Warrant—

Every Warrant (except warrants of distress)	-	2	0
Backing a Warrant	-	1	0

Approved,

W. M. Ridley,
One of Her Majesty's Principal
Secretaries of State.

Whitehall,
31st March, 1898.

N.B.—The Two Declarations required by the Pawnbrokers Act, 1872,* as to lost duplicates of articles not under 20s. are charged for as one only. Declarations made by persons entering the Post Office Service, 1 Vict., c. 33†, s. 10, are exempt from Stamp Duty (H.O. Letter, 19th December, 1884). Declaration under S. J. Act, 1879‡, s. 41. S.J.A. Rules, 16th July, 1886§—1s.

RATE SUMMONS—12 Vict., c. 14,|| stamp fee, 1s. Service fee—Payable to the police, 1s.

* 35 & 36 Vict. c. 93.

† The Post Office Management Act, 1837.

‡ 42 & 43 Vict. c. 49.

§ Printed in Statutory Rules and Orders Revised (1st Edition), Vol. 6, p. 444.

|| The Distress for Rates Act, 1849.

METROPOLITAN AND CITY POLICE DISTRICTS.

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| 1. <i>Metropolitan Police District, p. 1.</i> | 3. <i>Hackney and Stage Carriages, p. 17.</i> |
| 2. <i>Metropolitan Police, p. 4.</i> | 4. <i>Street Collections, p. 34.</i> |

1. Metropolitan Police District.

ORDER IN COUNCIL ENLARGING THE BOUNDARIES OF THE METROPOLITAN POLICE DISTRICT.

At the Court at St. James's, the 3rd day of January, 1840.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Act, passed in the tenth year of the reign of His late Majesty King George the Fourth,* it was, amongst other things, enacted, that it should be lawful for His Majesty at any time, by the advice of His Privy Council, to order that any parishes, townships, precincts, and places, whether parochial or extra-parochial, in the counties of Middlesex, Surrey, Hertford, Essex, and Kent, of which any part shall be situate within twelve miles of Charing Cross, in the city of Westminster, shall, after a certain day, to be named in such Order, be added to, and form part of, the metropolitan police district, and be placed under the charge of a police to be appointed under the said Act; and whereas by an Act passed in the Parliament held in the second and third years of the reign of Her present Majesty,† it was enacted, that any place which is part of the Central Criminal Court district, except the city of London and liberties thereof, and such places as are or may be included in any Act already passed, or to be passed, in the said session of Parliament, intituled "An Act for regulating the police in the city of London;"‡ and also, that any part of any parish, township, precinct, or place, which is not more than fifteen miles distant from Charing Cross, in a straight line, may be added to, and form part of, the metropolitan police district; and whereas it is expedient that the parishes, townships, precincts, and places following, that is to say :

County of Middlesex,
Ashford,
Bedfont, East,
Cowley,
Cranford,

Drayton, West,
Edgware, including Whit-
church,
Edmonton,
Enfield,

* The Metropolitan Police Act, 1829 (10 Geo. 4. c. 44).

† The Metropolitan Police Act, 1839 (2 & 3 Vict. c. 47.) s. 2.

‡ 2 & 3 Vict. c. xciv.

Finchley,
 Fryern Barnet,
 Feltham,
 Greenford,
 Harrow,
 Hendon,
 Hadley, Monken,
 Hornsey,
 Hayes,
 Hanwell,
 Heston,
 Hanworth,
 Hampton, Town and Court,
 Hamptonwick, liberty,
 Harefield,
 Hillingdon,
 Harlington,
 Harmondsworth,
 Ickenham,
 Isleworth,
 Kingsbury,
 Laleham,
 Littleton,
 Northolt,
 Norwood, precinct,
 Perivale,
 Pinner,
 Ruislip,
 South Mimms,
 Stanmore, Great and
 Little,
 Stanwell,
 Staines,
 Sunbury,
 Shepperton,
 Tottenham,
 Twyford Abbey,
 Twickenham,
 Teddington,
 Uxbridge, township and
 chapelry,
 Wilsden ;

County of Surrey,

Addington,
 Banstead,
 Beddington, Wallington,
 hamlet,
 Cuddington,
 Cheam,

Croydon,
 Coulsdon,
 Carshalton,
 Chessington,
 Ewell, exclusive of part
 near Walton,
 Epsom,
 Farley,
 Kew,
 Kingston-on-Thames,
 Ham - with - Hatch,
 hamlet,
 Hook, hamlet,
 Long Ditton,
 Mortlake,
 Maldon,
 Merton,
 Morden,
 Mitcham,
 Moulsey, East
 Moulsey, West
 Petersham,
 Richmond,
 Roehampton,
 Sanderstead,
 Sutton,
 Thames Ditton, including
 hamlet of Ember, hamlet
 of Weston, and hamlet
 of Claygate,
 Wimbledon,
 Woodmanstowe,*
 Warlingham,
 Worcester Park, extra-
 parochial ;

County of Kent,

Bexley,
 Beckenham,
 Bromley,
 Charlton,
 Crayford,
 Chislehurst,
 Down,
 Eltham, including Motting-
 ham,
 Erith,
 Farnborough,
 Foot's Cray,
 Hayes,

* Woodmansterne ?

Keston,
Kidbrooke,
Lewisham,
Lee,
North Cray,
Orpington,
Plumstead,
St. Paul's Cray,
St. Mary's Cray,
Woolwich,
Wickham, West,
Wickham, East;

Waltham Abbey,
Holyfield hamlet,
Sewardstone hamlet,
Upshire hamlet,
Waltham, Town hamlet,
Walthamstow,
Woodford,
Wanstead,
West Ham,
Church-street Ward,
Plaistow Ward,
Stratford Ward;

County of Essex,

Barking, Town Ward,
Chadwell Ward,
Great Ilford Ward,
Ripple Ward,
Chingford,
Chigwell,
Dagenham,
East Ham,
Little Ilford,
Loughton,
Low Leyton,

County of Hertford,

Aldenham,
Bushey,
Cheshunt,
Chipping Barnet,
Elstree,
Northaw,
Ridge,
Shenley,
Totteridge,
Theobald-street,
East Barnet;

should be added to, and form part of, the metropolitan police district, under the powers and directions of the said Acts of Parliament :

Her Majesty, by and with the advice of Her Privy Council, doth order and direct, and it is hereby ordered and directed, that the said parishes, townships, precincts, and places shall, from and after the thirteenth day of January next, be added to, and form part of, the said metropolitan district.

And the Most Noble the Marquess of Normanby, one of Her Majesty's Principal Secretaries of State, is to give such directions herein as His Lordship may judge proper.

C. C. Greville.

2. Metropolitan Police.

(a) Superannuation of Staff.

ORDER OF THE SECRETARY OF STATE, DATED JANUARY 1, 1876, RESPECTING THE SUPERANNUATION ALLOWANCES OF CERTAIN OFFICERS OF THE STAFF OF THE METROPOLITAN POLICE.

Whereas by the Metropolitan Police Staff Superannuation Act, 1875,* one of Her Majesty's Principal Secretaries of State is authorised by Order to make regulations respecting the grant to the officers of the staff of the Metropolitan Police mentioned in the schedule to that Act of superannuation allowances, compensations, gratuities, or other allowances, on the like principles and conditions as were in force at the passing of that Act with respect to persons in the permanent Civil Service of the State, with power to provide for the case of any such officer transferred to or from any office or employment remunerated out of any moneys raised in any part of Her Majesty's dominions by taxes or rates, penalties, or fines, or any moneys applicable in aid or reduction of taxes or rates, or out of other public revenue in any part of Her Majesty's dominions remunerated by way of fees or otherwise:

Now, therefore, I, Richard Assheton Cross, one of Her Majesty's Principal Secretaries of State, in pursuance of the said Act, and of all other powers enabling me in this behalf, do, by this Order, make the following regulations respecting the grant to the said officers of superannuation allowances, compensations, gratuities, or other allowances.

Officers connected with the Metropolitan Police to whom this Order applies.

1. The regulations contained in this Order with respect to superannuation allowances, compensations, gratuities, or other allowances, shall apply to every person who is employed under the Commissioner of Police of the Metropolis, or the Receiver for the Metropolitan Police District, and is not a constable, and whose salary has been paid as part of the expenses of the Metropolitan Police Force, and service under such Commissioner or Receiver in this Order referred to as police service.

Grant and ordinary rate of superannuation allowance. 22 Vict. c. 26. s. 2.

2. Subject to the exceptions and provisions herein-after contained, the superannuation allowance to be granted under this Order to any person, whether his remuneration be computed by day pay, weekly wages, or annual salary, shall be as follows (that is to say):

To any person who shall have served 10 years and upwards, and under 11 years, an annual allowance of 10-60ths of the annual salary and emoluments of his office;

For 11 years and under 12 years, an annual allowance of 11-60ths of such salary and emoluments;

* 38 & 39 Vict. c. 28.

Metropolitan Police :—Superannuation of Staff. 5

And in like manner, a further addition to the annual allowance of 1-60th in respect of each additional year of such service, until the completion of a period of service of 40 years, when the annual allowance of 40-60ths may be granted ; and no addition shall be made in respect of any service beyond 40 years :

Provided always, that if any question should arise as to the claim of any person or class of persons, for superannuation under this section, it shall be referred to the Secretary of State, whose decision shall be final.

3. The provisions of this Order shall apply as well to persons who entered the police service before the passing of the Metropolitan Police Staff Superannuation Act, 1875,* or the making of this Order, as to those who may hereafter enter the police service.

Order to apply to persons already in the service.
22 Vict. c. 26.
s. 3.

4. It shall be lawful for the Secretary of State from time to time, by any Order, to declare that for the due and efficient discharge of the duties of any office or class of offices to be specified in such Order, professional or other peculiar qualifications, not ordinarily to be acquired in the police service, are required, and that it is for the interest of the public that persons should be appointed thereto at an age exceeding that at which the police service ordinarily begins ; and by the same or any other Order to direct that when any person now holding or who may hereafter be appointed to such office, or any of such class of offices, shall retire from the police service, a number of years not exceeding 20, to be specified in the said Order, shall, in computing the amount of superannuation allowance which may be granted to him under the foregoing regulation of this Order, be added to the number of years during which he may have actually served, and also to direct that in respect of such office or class of offices, the period of service required to entitle the holders to superannuation may be a period less than 10 years, to be specified in the Order : Provided always, that every Order made under this regulation shall be laid before Parliament.†

Provision for computing amount of superannuation to persons holding professional and other special offices.
22 Vict. c. 26.
s. 4.

5. It shall be lawful for the Secretary of State to grant to any person who, being the holder of an office in respect of which a superannuation allowance may be granted under this Order, but not having completed the period which would have entitled him to a superannuation allowance, is compelled to quit the police service by reason of severe bodily injury, occasioned without his own fault, in the discharge of his police duty, a gratuity not exceeding three months' pay for every two years of service, or a superannuation allowance not exceeding 10-60ths of the annual salary and emoluments of his office.

Allowances in cases of bodily injury.
22 Vict. c. 26.
s. 5.

* 38 & 39 Vict. c. 28.

† See Order of September 2nd, 1893, printed at p. 10 below.

Power to Secretary of State to grant gratuities in case of short service.
22 Vict. c. 26.
s. 6.

6. It shall be lawful for the Secretary of State to grant to any person who, being the holder of an office in respect of which a superannuation allowance may be granted under this Order, is constrained, from infirmity of mind or body, to leave the police service before the completion of the period which would entitle him to a superannuation allowance, such sum of money by way of gratuity as the said Secretary of State may think proper, but so as that no such gratuity shall exceed the amount of one month's pay for each year of service,

Power to Secretary of State to grant allowances on abolition of offices.
22 Vict. c. 26.
s. 7.

7. It shall be lawful for the Secretary of State to grant to any person retiring or removed from the police service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belongs, by which greater efficiency and economy can be effected, such special annual allowance by way of compensation as on a full consideration of the circumstances of the case may seem to the Secretary of State to be a reasonable and just compensation for the loss of office; and if the compensation shall exceed the amount to which such person would have been entitled under the scale of superannuation provided by this Order, if 10 years were added to the number of years which he may have actually served, such allowance shall be granted by special Order, stating the special grounds for granting such allowance, which Order shall be laid before Parliament, and no such allowance shall exceed two-thirds of the salary and emoluments of the office.

Condition of grant of full superannuation.
22 Vict. c. 26.
s. 8.

8. It shall not be lawful for the Secretary of State to grant the full amount of superannuation allowance which can be granted under this Order to any person, unless upon production of a certificate (signed by the Commissioner of Police of the Metropolis, or the Receiver for the Metropolitan Police District, as the case may require) that he has served with diligence and fidelity to the satisfaction of such Commissioner or Receiver; and in every case in which any superannuation allowance is granted, after the refusal of such certificate, the Order granting it shall state such refusal and the grounds on which the allowance is granted.

Power to Secretary of State to grant allowances for special services.
22 Vict. c. 26.
s. 9.

9. Provided that it shall be lawful for the Secretary of State to grant to any person any superannuation, compensation, gratuity, or other allowance of greater amount than the amount which might be awarded to him under the foregoing provisions, when special services rendered by such person, and requiring special reward, appear to the Secretary of State to justify such increase, but so that such allowance shall in no case exceed the salary and emoluments enjoyed by the grantee at the time of retirement, and the grounds of every such increase shall be stated in the Order, which shall be laid before Parliament; and it shall be lawful for the Secretary of State to grant to any person any such allowance of less amount than otherwise would have been awarded to him where his

And for demerits in individual cases.

defaults or demerit in relation to the police service appear to the Secretary of State to justify such diminution.

10. Save in the case of abolition of office, it shall not be lawful to grant any superannuation allowance under the provisions of this Order to any person who shall be under 60 years, unless upon medical certificate to the satisfaction of the Secretary of State that he is incapable, from infirmity of mind or body, to discharge the duties of his situation, and that such infirmity is likely to be permanent.

Evidence of infirmity of persons under 60.
22 Vict. c. 26.
s. 10.

11. Every person to whom a superannuation or compensation allowance shall have been granted before he shall have attained the age of 60 years shall, until he has attained that age, be liable to be called upon by the Secretary of State to fill any office for which his previous service may render him eligible, if such office be either an office in the police service or a public office or situation under the Crown in a part of Her Majesty's dominions in which he has served during any part of the period of his service which has been reckoned in calculating such superannuation or compensation allowance; and if he shall decline, when called upon to do so, to take upon him such office or situation, or shall decline or neglect to execute the duties thereof satisfactorily, being in a competent state of health, he shall forfeit his right to the compensation or superannuation allowance which had been granted to him.

Persons superannuated under 60 may be required to serve again.
22 Vict. c. 26.
s. 11.

12. Where an officer holding an employment entitling him to a superannuation allowance under this Order, has either before or after the date of this Order, been appointed, with the approval of the Secretary of State, to any other employment remunerated out of public moneys as defined by this Order, the Secretary of State may grant to him on his ultimate retirement from his service in employments remunerated out of public moneys, if such service has been practically continuous, such proportion of the superannuation, compensation, gratuity, or other allowance which, if he had continued until such retirement to serve in the police service with the same salary and emoluments he was receiving at the date of the said appointment, might have been granted to him, as the period of his actual service in the police service (although less than 10 years) bears to the whole period of his service in employments remunerated out of public moneys, whether in the police service or other employment; subject, however, to this qualification, that if his retirement is caused by the abolition of his office, such portion of the compensation as exceeds the superannuation which would have been payable if his retirement had been caused by ill-health shall not be included in calculating the said proportion.

Right to superannuation of persons transferred to other public employment.
Of. 22 Vict.
c. 26. s. 12.

13.*

* Paragraph 13 was revoked and a fresh paragraph substituted therefor by the Metropolitan Police Staff Superannuation Act, 1885 (48 & 49 Vict. c. 68).

Conditions of grant under two preceding regulations.

14. Every allowance, gratuity, or compensation granted in pursuance of the two preceding regulations, shall be granted only under the like circumstances under which the same might be granted under the other regulations contained in this Order, and shall be subject to the conditions to which the same if granted under the other regulations contained in this Order would be subject, and shall be subject to the deductions mentioned in Regulations 17 and 18 of this Order, and any officer to whom such grant is made while under the age of 60 years shall be subject to the same liability to be called upon to fill an office, as provided in this Order concerning other persons under that age to whom like allowances are granted.

Orders, &c., within what time to be laid before Parliament. &c., however, 23 Vict. c. 26. s. 13.

15. All orders directed to be laid before Parliament shall be specified in the annual report laid before Parliament with respect to the metropolitan police.

Superannuations not to be granted on advanced amount of salary received for less than three years. 4 & 5 Will. 4. c. 24. s. 12.

16. The superannuation allowance to be granted to any person under this Order, shall not be computed upon the amount of the salary enjoyed by him at the time of his retirement, unless he has been in the receipt of the same, or in the class from which he retires, for a period of at least three years immediately before the granting of such superannuation allowance; and in case he shall not have enjoyed his then existing salary, or have been in such class for that period, such superannuation allowance shall be calculated upon the average amount of salary received by such person for three years next preceding the commencement of such allowance.

Compensation or superannuation to persons receiving other retiring allowances not to exceed two-thirds of salary. 4 & 5 Will. 4. c. 24. s. 16.

17. No compensation hereafter to be made, or superannuation allowance to be granted, under this Order to any person entitled to any retiring allowance payable out of public moneys shall in any case, except as in this Order is specially provided, exceed in the whole (computing his retiring allowance in such compensation or allowance) the amount of two-thirds of the salary and emoluments of the office relinquished by him.

The expression "retiring allowance" in this regulation means any half pay, retired pay, retired full pay, or pension in Her Majesty's army, navy, or marines, or any pension, superannuation, or other retiring allowance payable out of any public moneys, but does not include any pension granted for wounds or for meritorious service in Her Majesty's army or navy, or any allowance granted under special circumstances or for special services under the Superannuation Act, 1859,* or any Act authorising the grant of such allowance on the like principles.

No superannuation or compensation to be enjoyed

18. In case any person enjoying under this Order any superannuation allowance in consequence of retiring from office on account of age, infirmity, or any other cause, or

* 22 Vict. c. 26.

enjoying any compensation for past services upon the abolition or reduction of office, shall be appointed to fill any office remunerated out of public moneys, then, while he holds such office, every such allowance or compensation shall cease to be paid for any period subsequent to such appointment if the annual amount of the profits of the office to which he shall be appointed shall be equal to those of the office formerly held by him; and in case they shall not be equal to those of his former office, then no more of such superannuation allowance or compensation shall be paid to him than what with the salary of his new appointment shall be equal to that of his former office.

with salary for efficient services.
4 & 5 Will. 4. c. 24. s. 20.

19. Nothing in this Order contained shall extend or be construed to extend to give any person an absolute right to compensation for past services, or to any superannuation or retiring allowance under this Order, or to deprive the Secretary of State, or the Commissioner of Police of the Metropolis, or the Receiver for the Metropolitan Police District, of any power and authority to dismiss any person from the police service without compensation.

Order not to give an absolute right to allowances or to prevent dismissal of persons for misconduct.
4 & 5 Will. 4. c. 24. s. 30.

20. The expression "public moneys" in this Order means the Consolidated Fund of the United Kingdom, and moneys provided by Parliament, and any moneys raised in any part of Her Majesty's dominions by taxes or rates, penalties or fines, or any moneys applicable in aid or reduction of taxes or rates, and any other public revenue in any part of Her Majesty's dominions, and any fees or other moneys received in respect of any public office or employment in any part of Her Majesty's dominions.

Definitions.

This Order shall, so far as is consistent with the tenor thereof, be construed as if it were part of the Metropolitan Staff Superannuation Act, 1875.*

* 38 & 39 Vict. c. 28.

ORDER OF THE SECRETARY OF STATE, DATED SEPTEMBER 2,
1893, RESPECTING THE SUPERANNUATION OF CERTAIN
OFFICERS OF THE STAFF OF THE METROPOLITAN POLICE.

Metropolitan Police (Staff) Superannuation Acts, 1875 and
1885 (38 & 39 Vict. c. 28: 48 & 49 Vict. c. 68).

In exercise of the power reserved to me by the 4th Regulation of the Order of the 1st day of January, 1876,* made in pursuance of the Act 38 & 39 Vict. c. 28 (since amended by 48 & 49 Vict. c. 68), I hereby declare that, for the due and efficient discharge of the duties of the office specified in the schedule to this Order, professional or other peculiar qualifications, not ordinarily to be acquired in the police service, are required, and that it is for the interest of the public that a person should be appointed thereto at an age exceeding that at which the police service ordinarily begins; and I hereby direct that when any person now holding, or who may hereafter be appointed to, such office shall retire from the public service, the number of years specified with respect to such office in the schedule to this Order shall, in computing the amount of superannuation allowance which may be granted to him under the regulations of the said Order of the 1st day of January, 1876,* be added to the number of years during which he may have actually served.

(Signed) *H. H. Asquith.*

Whitehall, 2nd September, 1893.

Schedule.

Office.	Number of Years to be added.
<i>Under the Receiver for the Metropolitan Police District.</i>	
Office of Inspector of Clothing and Equipment - - -	5

* Printed at p. 4 above.

(b) Superannuation of Constables.

SCALE, DATED NOVEMBER 28, 1890, OF ORDINARY PENSIONS FOR THE METROPOLITAN POLICE, PRESCRIBED BY THE SECRETARY OF STATE.

In pursuance of the Police Act, 1890,* I hereby adopt the following scale as the scale for ordinary pensions in the Metropolitan Police Force:—

No. of completed Years of approved Service.		Amount of Pension.	
15 years	-	-	15/50ths of annual pay.
16 "	-	-	16/50ths " "
17 "	-	-	17/50ths " "
18 "	-	-	18/50ths " "
19 "	-	-	19/50ths " "
20 "	-	-	20/50ths " "
21 "	-	-	22/50ths " "
22 "	-	-	24/50ths " "
23 "	-	-	26/50ths " "
24 "	-	-	28/50ths " "
25 "	-	-	31/50ths " "
26 years and upwards		2/3rds	" "

Henry Matthews,
One of Her Majesty's
Principal Secretaries of State.

Home Office, Whitehall,
28th November, 1890.

REGULATIONS MADE BY THE SECRETARY OF STATE, DATED MARCH 5, 1900, AS TO THE PAYMENT OF PENSIONS, GRATUITIES, AND ALLOWANCES GRANTED UNDER THE POLICE ACT, 1890.*

1900. No. 201.

Police Acts, 1890* & 1893.†

In pursuance of the powers vested in me as the Police Authority for the Metropolitan Police District, I hereby make the following Regulations:—

I. Pensions granted under this Act to officers of the Metropolitan Police Force will be paid quarterly in advance, either on personal application at the office of the Receiver of

* 53 & 54 Vict. c. 45.

† 56 & 57 Vict. c. 10.

Police, New Scotland Yard, or through the Post Office by means of Police Money Orders.

II. The first payment of a pension will invariably be made at the office of the Receiver (except as regards men pensioned from the Dockyard Divisions, *vide* Reg. 15, or in cases where the Receiver considers that on account of the illness of the pensioner, or for other reasonable cause, his personal attendance may be dispensed with), each pensioner being provided by the superintendent of his late division with a Form of Identification (Form 16A) to be produced to the Receiver; he will be required to sign the Pension Register, and will be furnished with an Identity Certificate (Form A.), on the back of which full instructions are printed for his future guidance, and also a form of Life Certificate (Form B), for use on the next occasion, if he desires to be paid by police money order.

III. The due date of any pension will be calculated from the date of the Secretary of State's letter; for example, a pension granted as from 10th November in any year will be next payable on the 10th February of the following year, then on 10th May and 10th August.

IV. No payment will be made without the production of the "Identity Certificate" (Form A), which must be duly stamped at New Scotland Yard or the money order office quarter by quarter as indicated thereon.

V. When a pensioner elects to be paid by police money order, the Life Certificate (Form B) must be filled up in all particulars and forwarded to the Receiver immediately after the due date. A money order will then be forwarded by the Receiver to the pensioner within seven days from the receipt of the certificate, together with a form of Life Certificate for use when the next quarter's payment becomes due, and a blank official envelope, which must be addressed by the pensioner to himself, and which must accompany the next application for payment.

VI. On receiving a police money order, the pensioner must present it at the post office named thereon, together with his "Identity Certificate" (Form A), which will be stamped by the postmaster.

VII. Under no circumstances will a police money order be payable through a bank.

VIII. When a pensioner loses his Identity Certificate (Form A) he will be required to prove such loss by statutory declaration under Section 18 of the Statutory Declarations Act, in manner following:—

"I (A.B.) do solemnly and sincerely declare that I have lost my Identity Certificate; that the following are

the circumstances under which the loss occurred and the steps I have taken to recover the same

that I have not left it with a creditor, and that I have no reason to think that it has passed into the possession of any other person. And I make this solemn declaration, believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.”*

This declaration, which must bear an impressed Inland Revenue stamp of the value of 2s. 6d., must be made before a justice, or other officer authorised by law to administer an oath, and must be forwarded to the Receiver.

IX. A duplicate of an Identity Certificate will under no circumstances be issued without the special permission of the Secretary of State, to whom the declaration will in every case be submitted.

X. The Identity Certificate (Form A) is calculated to last for two years. At the end of that time it must be returned to the Receiver with a written application for a renewal.

XI. Should the Receiver at any time have reason to suppose that a pensioner has borrowed money on security of one or more of his certificates, he may call upon the pensioner to produce his Identity Certificate for inspection, and to furnish an explanation of the circumstances which have led to the belief that his certificates or either of them are in the possession of a creditor. Such explanation will be submitted to the Secretary of State for instructions.

XII. Where a Life Certificate is lost in transmission through the post to the Receiver, the pensioner will be called upon to state the name and address of the person who signed the form of certificate thereon, when inquiries will be made of such person, and if the Receiver is satisfied that the form was duly completed and forwarded to him, he may issue a duplicate.

XIII. A pensioner who neglects to draw his pension for four consecutive quarters will be struck off the list, and will not be replaced unless he satisfactorily accounts for his absence; in such cases the arrears will not be paid without the express authority of the Secretary of State.

XIV. Every pensioner who desires to be exempted from the payment of income tax, or to claim the statutory abatement, must obtain from the Receiver, *each year*, in the month of April, a form for that purpose, and must fill up and return the same before the 30th June in each year. Otherwise the tax will be deducted in full.

* 5 & 6 Will. 4. c. 62.

XV. Officers pensioned from one of the dockyard divisions will not be required to attend at the Receiver's office for the first payment of their pension, but will apply, through the superintendent of their late division, to the Receiver to transmit the necessary forms to enable them to draw the amount due by police money order. The Life Certificate must be sent to the Receiver, in the like manner as above prescribed, and these regulations will apply to dockyard officers in all respects, except as regards the first payment.

XVI. Where a pensioner dies without having drawn the sum due to him, his legal representatives shall only be entitled for the period from the date of the termination of the quarter for which payment was last made up to the date of his death.

XVII. Every pensioner under these Acts shall furnish the Receiver, at least once in each year, or oftener if so required by the Receiver, with a declaration in one of the three forms following :—

- (a) I do hereby declare that I am not serving in any police force, and that I do not hold any office remunerated out of money provided by Parliament, or out of a county or borough fund, or out of any county, borough, parochial, district or other rate.
- (b) I do hereby declare that I am now serving in the Police, and that my pay and allowances therefrom amount in all to £. per annum
- (c) I do hereby declare that I hold an office remunerated (out of money provided by Parliament), or (out of a county, borough, parochial, district, or other rate), or (out of a county or borough fund), as follows, viz. :—

and that the wages and emoluments enjoyed by me therefrom amount in all to £. per annum.

Gratuities and Rateable Deductions.

XVIII. Gratuities granted by the Secretary of State and rateable deductions authorised by him to be returned under this Act will be paid, except as herein-after stated, by the Receiver at New Scotland Yard. The superintendent will provide each man with a Form of Identification (Form 16A), to be presented at the Receiver's office. Gratuities granted to dockyard officers, or to men of town divisions who may be too unwell to appear at the Receiver's office, will be paid through the post by means of a cheque, on application being made to the Receiver. The receipt must in each case be witnessed by an officer of police of not lower rank than inspector.

Pensions to Widows.

XIX. Pensions granted under this Act to widows of police officers will be subject to the foregoing regulations in all respects, except that they will not be paid in advance, and that Forms C and D will be used instead of Forms A and B. Each widow on making her first application for payment at the Receiver's office, must produce a Form of Identification (Form 16A), to be previously obtained from the superintendent of the division to which her late husband belonged, and must at the same time produce her marriage certificate.

Pensions to widows will continue only so long as they remain widows, and are of good character.

Allowances to Children.

XX. Persons having charge of children to whom allowances have been granted under this Act must, on the first application for payment, submit, for registration, a certificate on the usual form of the birth of each child. They will then receive a certificate of identity for each child. Payment of these allowances will be subject to the foregoing regulations, except that they will not be made in advance, and that persons in charge of children must furnish the Receiver on each occasion with a special form of declaration and certificate (Form F), whether the amount is paid personally or by police money order.

Given under my hand this 5th day of March, 1900.

M. W. Ridley,
One of Her Majesty's
Principal Secretaries of State.

The attention of pensioners is called to the following provisions of the Police Act, 1890.*

i. Pensions under the Act are not assignable as security for money advanced, or for any other purpose whatsoever, except for the benefit of the family of the pensioner; and in case of bankruptcy do not pass to any trustee or other person acting on behalf of the creditors.

ii. Where a pensioner, or anyone whom he is liable to maintain, is in receipt of parochial relief, or in any way chargeable to the ratepayers, the Secretary of State may direct that the whole or any part of the pension shall be paid to the guardians or other authority giving the relief or main-

* 53 & 54 Vict. c. 45.

taining the pensioner, to be applied in repayment of sums expended for such relief or maintenance, and subject thereto, to or for the benefit of the pensioner.

iii. If any pensioner shall neglect to maintain any person whom he is lawfully bound to maintain, the Secretary of State may direct that the whole or any part of the pension shall be paid or applied to or for the benefit of that person.

iv. If a pensioner under the Act shall appear to the Secretary of State to be insane, or otherwise incapacitated to manage his own affairs, so much of his pension as the Secretary of State shall think fit may be paid to the institution or person having care of the pensioner; and the surplus, if any, or such part thereof as the Secretary of State shall think fit, may be applied towards the maintenance of the wife or relatives of the pensioner.

v. Where a pensioner dies intestate, and a sum not exceeding 100*l.* is due to his estate on account of his pension, probate or other proof of the title of the personal representatives of the deceased may, at the discretion of the Secretary of State, be dispensed with, and the sum due may be paid or distributed to or among such person or persons as shall appear to the Secretary of State to be beneficially entitled to the same.

vi. Pensions under the Act are granted only upon condition that they will become forfeited, and will be withdrawn by the Secretary of State in any of the following cases:—

- (a) If the pensioner is convicted of any offence for which he is sentenced to penal servitude or imprisonment for a term exceeding three months with hard labour, or to imprisonment for a term exceeding 12 months whether with or without hard labour,
- (b) If the pensioner knowingly associates with thieves or reputed thieves.
- (c) If the pensioner refuses to give to the police all information or assistance in his power for the detection of crime, for the apprehension of criminals, and for the suppression of any disturbance of the public peace.
- (d) If the pensioner enters into or continues to carry on any business, occupation, or employment which is illegal, or in which he has made use of the fact of his former employment in the Police in a manner which the Secretary of State shall consider discreditable and improper.

The Secretary of State shall in all cases determine whether such forfeiture or withdrawal shall be permanent or temporary, and whether it shall affect the whole or any part of the pension.

vii. Where a pensioner under the Act takes service in any police force, his pension may be suspended in whole or in part so long as he remains in such service; and where a pensioner is appointed to an office remunerated out of money provided by Parliament, or out of a county or borough fund, or out of any county, borough, parochial, district, or other rate, he shall not, while holding that office, receive more of the pension than, together with the remuneration of that office, is equal to one and a half times the remuneration of the office in respect of which the pension was awarded.

3. Hackney and Stage Carriages.

ORDER DATED AUGUST 18, 1897, MADE BY THE SECRETARY OF STATE IN PURSUANCE OF THE METROPOLITAN PUBLIC CARRIAGE ACT, 1869.*

1897. No. 736.

PART I.

Licensing of Hackney and Stage Carriages.

In pursuance of Section 6 of the above-mentioned Act, I hereby prescribe as follows:—

1. A hackney carriage licence or a stage carriage licence may be granted to any person by the Commissioner of Police of the metropolis, herein-after referred to as the Commissioner, subject to the following exceptions:

- (a) A licence shall not be granted to any person under the age of 21 years, or to any person who shall have been previously convicted of felony; and any licence so granted shall be void.
- (b) The Commissioner may at his discretion refuse a licence to any person who has been convicted of a misdemeanour or of cruelty to animals, or who, having previously held a licence for a hackney or stage carriage, has had such previous licence revoked or suspended.

2. A person desirous of obtaining a hackney carriage licence, or a stage carriage licence, shall make application at the office of the Commissioner.

Such application, if for a hackney carriage licence, shall be in the form contained in Schedule A. hereto; or, if for a stage carriage licence, shall be in the form contained in Schedule B. hereto.

* 32 & 33 Vict. c. 115.

3. The price of a hackney carriage licence or a stage carriage licence is £2.

4. The applicant, on presenting his application for a licence, shall pay the said sum of £2 to the Receiver for the Metropolitan Police District, or to some person whom such Receiver shall appoint.

5. The said Receiver shall then cause such application to be returned to the applicant, together with a receipt for the sum of £2.

6. The applicant shall then bring the carriage, to which he desires the licence shall attach, to the police station of the district for examination by the inspector of public carriages; and shall, at the same time, deliver to the said inspector the said application and receipt. The said inspector, if he shall find such carriage fit for public use, shall cause a metal plate, bearing the number which is to distinguish such carriage, and herein-after called the number plate, to be affixed thereto in his presence, together with such approval mark as the Commissioner may from time to time direct, and shall sign a certificate in the form contained in Schedule C. hereto.

Such number plate shall be fixed in the case of a four-wheeled hackney carriage on the back thereof; in the case of a two-wheeled hackney carriage, on the spring-block on the back, under the driver's seat. A number plate shall also be fixed on the inside of every such carriage. In the case of a stage carriage the number plate shall be affixed on the back thereof.

7. In the case of a hackney carriage, the said inspector shall at the same time cause to be affixed to the carriage a plate (herein-after called the fare plate) setting forth such particulars as to fares as are to be set forth upon the obverse side of the ticket herein-after required to be delivered by the driver to the hirer. Such fare plate shall be affixed in the case of a four-wheeled hackney carriage inside in the most convenient and conspicuous place, and in the case of a two-wheeled hackney carriage on the inside of the splashboard.

8. A licence (subject to the conditions herein-after specified) shall thereupon be issued to the applicant,

9. A hackney carriage licence shall be in the form contained in Schedule D. hereto; and a stage carriage licence shall be in the form contained in Schedule E. hereto.

10. An application for a licence on behalf of any co-partnership or company shall be made by, and such licence shall be issued to the senior partner or to the secretary or manager of the company, as the case may be; and the person to whom a licence shall be so issued shall be responsible for the observance of the conditions under which the licence is granted, and shall be liable to all penalties for breaches of such conditions as if he were the person solely interested in the licences.

11. In the case of the death of any proprietor during the currency of his licence, the licence may be brought to the office of the Commissioner, and the Commissioner may by endorsement thereon transfer the licence to the personal representatives of the deceased proprietor, or to his widow or child, if such child is of age. In like manner in case of the marriage of a female proprietor during the currency of her licence, her licence may be transferred to her husband. In the case of a company the licence may be transferred from the secretary or manager to his successor.

12. A licence granted in respect of any public carriage under this part of the Order shall be subject to the following conditions:—

- (a) The proprietor thereof shall not permit or suffer the carriage to be sub-let.
- (b) The proprietor shall if during the currency of the licence he changes his address, within seven days from such change bring his licence to the office of the Commissioner, and the Commissioner shall thereupon endorse the licence with the new address, and erase the former address therefrom. The address mentioned in or last endorsed upon the licence shall, for all purposes connected with the licence, be deemed to be the address of the proprietor of the public carriage to which such licence refers.
- (c) The proprietor—
 - (1.) Shall not knowingly permit his carriage to be used for an illegal purpose.
 - (2.) Shall not erase or deface his licence.
 - (3.) Shall at all times, when required, produce his licence to the Commissioner.
 - (4.) Shall at all reasonable times allow to all persons appointed by the Commissioner to be inspectors of public carriages, free access to his premises and stables for the purpose of inspecting the public carriage to which the licence relates, the horses used for drawing the same carriage and their harness.
 - (5.) Shall within three days after a notice shall have been delivered to him personally or left at the address mentioned in or last endorsed upon his licence, deliver up his licence to the inspector of public carriages at the police station of the district within which the place of his address so mentioned or endorsed is situate, and shall bring the public carriage to the same police station in order that the plates may be unfixed and delivered up to the inspector of public carriages.

- (d) The proprietor, or driver, or conductor of any stage carriage, and the proprietor or driver of any hackney carriage shall not conceal or remove any plate affixed to such carriage in pursuance of this Order, or alter or obliterate any number or mark thereupon, or any mark placed on such carriage by the authority of the Commissioner.

The proprietor shall not permit or suffer any person, except such as are authorised by the Commissioner, to alter or remove any of the plates or marks required by this Order.

- (e) The proprietor shall keep the carriage and all its furniture and appointments, and the harness of the horse or horses drawing the same, in perfect order and repair, and shall not suffer any printed, written, or other matter to appear on the outside or inside of the carriage by way of advertisement, except such, if any, as shall be approved by the Commissioner.
- (f) The proprietor of a hackney carriage, propelled by mechanical means shall not employ as a driver of such carriage any person who is not licensed in accordance with Schedule K. of this Order.
- (g) The proprietor of a stage carriage propelled by mechanical means shall not employ as a driver of such carriage any person unless he be licensed in accordance with Schedule G. of this Order.
- (h) The proprietor of a carriage drawn by animal power shall not employ as a driver of such carriage any person who is only licensed to drive a carriage propelled by mechanical means.

13. The proprietor of a public carriage shall within three days after the expiration of the period for which his licence shall have been granted deliver up his licence to the inspector of public carriages at the police station of the district within which the place of his address, mentioned in or last endorsed upon the licence, is situate, and shall bring the public carriage to the same police station in order that the number plate may be unfixed and delivered up to the inspector of public carriages.

14. Any licence erased or defaced shall be void.

15. Licences granted under this part of the Order shall be liable to revocation or suspension by the Commissioner in the following events :—

- (i.) If the proprietor fails to comply with the conditions on which the licence is granted as prescribed in Section 12 of this Order ;
- (ii.) In any of the events in which a hackney or stage carriage licence might have been revoked or suspended at the time of the passing of the Metropolitan Public Carriage Act, 1869 ;

- (iii.) If the proprietor commits a breach of the said Act or of this Order, or is convicted of felony or a misdemeanour.
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PART II.

Licensing of Drivers of Hackney Carriages and of Drivers and Conductors of Stage Carriages.

In pursuance of Section 8 of the above-mentioned Act, I hereby prescribe as follows:—

16. Licences to act as driver or conductor of a stage carriage, or as driver of a hackney carriage may be granted by the Commissioner, provided that the applicant be not less than 21 years of age.

17. Licences so granted shall be respectively in the forms contained in the Schedules F., G., H., I., and K., to this Order, and shall, if not revoked or suspended, be in force for one year from the date thereof; and for every such licence there shall be paid to the Receiver of the Metropolitan Police, or to such person as he shall appoint, the sum of five shillings.

18. Every licence granted to a driver or conductor shall be subject to revocation or suspension for any period of time by any Justice of the Peace in any of the events in which a licence granted to a driver or conductor of a hackney or stage carriage in pursuance of any Act of Parliament might, at the passing of the Metropolitan Public Carriage Act, 1869, be revoked or suspended, and shall also be subject to revocation or suspension by any Justice of the Peace in the event of any breach of this Order or of the said Metropolitan Public Carriage Act, 1869.

PART III.

Regulations as to Hackney and Stage Carriages.

In pursuance of Section 9 of the above-mentioned Act, I hereby make the following regulations:—

13. The proprietor shall cause to be painted at the back of the hackney carriage, on the outside, the number of persons which the hackney carriage is licensed to carry.

If the Proprietor suffers his hackney carriage to ply for hire without such number so painted, he shall be deemed to have committed a breach of this Order.

20. If a hackney carriage carry a greater number of persons than the number for which it is licensed to carry, the driver, and also the proprietor, if he be cognizant of the

fact, shall be deemed to have committed a breach of this Order.

For the purpose of this regulation, two children under 10 years of age shall count as one person.

21. The hiring shall be by distance or by time as the hirer may express at the commencement of the hiring; but, unless so expressed to be by time, shall be taken to be by distance.

22. The fare for the hiring of a hackney carriage which is both hired and discharged within a circle (herein-after referred to as the four mile circle) the centre of which is Charing Cross, and the circumference is described by a radius of four miles in length, shall be regulated as follows:

- (1.) When the hiring is by distance, then, whether the hackney carriage is a four-wheeled carriage or a two-wheeled carriage, the fare shall be—

- (a). If the distance does not exceed two miles—

	s.	d.
For the whole distance	-	1 0

- (b) If the distance exceeds two miles—

For each mile of the whole distance	0	6
For any part of a mile over and above any number of miles completed	-	0 6

together with such extra payments (if any) as the driver may under this Order be entitled to charge in the cases herein-after mentioned.

- (2). When the hiring is by time the fare shall be—

	For a four-wheeled carriage.	For a two-wheeled carriage.
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- (a) If the time does not exceed one hour—

	s.	d.	s.	d.
For the whole time	-	2 0	2 6	

- (b) If the time exceeds one hour—

For each quarter of an hour of the whole time	0	6	0	8
For any period of less than 15 minutes which is over and above any number of periods of 15 minutes completed	-	0 6	0 8	

together with such extra payments (if any) as the driver may under this Order be entitled to charge in the cases herein-after mentioned.

23. The fare for the hiring of a hackney carriage hired without the four mile circle shall (whether such carriage is a four-wheeled carriage or a two-wheeled carriage, and whether the discharge takes place within or without the four mile circle) be regulated as follows:—

(1.) When the hiring is by distance the fare shall be—

(a) If the distance does not exceed one mile—

For the whole distance	-	-	s.	d.
			1	0

(b) If the distance exceeds one mile—

For each mile of the whole distance	1	0
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For any part of a mile over and above any number of miles completed	-	-	-	1	0
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together with such extra payments (if any) as the driver may under this Order be entitled to charge in the cases hereinafter mentioned.

(2.) When the hiring is by time the fare shall be—

(a) If the time does not exceed one hour—

For the whole time	-	-	s.	d.
			2	6

(b) If the time exceeds one hour—

For each quarter of an hour of the whole time	-	-	-	0	8
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For any period of less than 15 minutes which is over and above any number of periods of 15 minutes completed	-	-	-	0	8
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together with such extra payments (if any) as the driver may under this Order be entitled to charge in the cases hereinafter mentioned.

24. The fare for the hiring of a hackney carriage which is hired within, but discharged without, the four mile circle shall be regulated as follows:—

(1.) When the hiring is by distance, then, whether the hackney carriage is a four-wheeled carriage or a two-wheeled carriage, the fare shall be:—

(a) If the distance does not exceed one mile—

For the whole distance	-	-	s.	d.
			1	0

(b) If the distance exceeds one mile—

For each mile ended within the four mile circle	-	-	-	0	6
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For each mile ended without the four mile circle	-	-	-	1	0
--	---	---	---	---	---

s. d.

For any part of a mile ended
without the four mile circle
over and above any number of
miles completed - - - 1 0

together with such extra payments (if any) as the driver may under this Order be entitled to charge in the cases hereinafter mentioned.

- (2.) When the hiring is by time, the fare shall be the same as if the hackney carriage had been hired without the four mile circle.

25. Whether the hiring be by distance or by time, the driver shall be entitled to charge, in addition to what is due to him for distance or time, as the case may be, the following extra payments in the following cases respectively:—

- (1.) If any luggage is carried outside the hackney carriage, he shall be entitled to an extra payment of 2*d.* for every package carried outside, whatever may be the number of persons carried.
- (2.) If at any time during the hiring more than two persons are carried together, he shall be entitled to an extra payment of 6*d.* for every person above two persons so carried. Provided that two children under the age of 10 years shall count as one person.

26. If a hackney carriage is hired by distance, and in the course of the hiring is at the request of the hirer made to wait, the driver shall be entitled to charge (in addition to what is due to him for distance) an extra payment as follows:—

	For a four-wheeled Carriage hired within the Four Mile Circle.	For a two-wheeled Carriage hired within or for any Carriage hired without the Four Mile Circle.
For each period of 15 minutes completed, whether in one stop- page or in several stoppages.	6 <i>d.</i>	8 <i>d.</i>

The driver shall not be entitled to any extra payment for waiting any less period than fifteen minutes (whether such less period be completed in one stoppage or in several stoppages) which is over and above any number of completed periods of fifteen minutes.

The driver shall not be entitled to receive any extra payment for waiting, if such waiting has not amounted in the whole to fifteen minutes.

27. A driver if hired by distance shall not be compelled to drive more than six miles; and, if hired by time, shall not be compelled to drive for more than one hour.

28. The driver shall, if so required, deliver to the hirer a ticket of the following form :—

OBVERSE SIDE.

HACKNEY CARRIAGE LICENSED TO CARRY
[1] PERSONS.

(a.) If hired and discharged within Four Mile Circle :

- (1.) If by distance—
 - Not exceeding two miles ... 1s.
 - Exceeding two miles—
 - For each mile or part of a mile 6d.
- (2.) If by time—
 - For one hour or less ... 2s. ⁽¹⁾
 - Above one hour—
 - For every fifteen minutes ... 6d. ⁽²⁾
 - For any less period ... 6d. ⁽³⁾

(b.) If hired without the Four Mile Circle wherever discharged :

- (1.) If by distance—
 - Not exceeding one mile ... 1s.
 - Exceeding one mile—
 - For each mile or part of a mile 1s.
- (2.) If by time—
 - For one hour or less ... 2s. 6d.
 - Above one hour—
 - For every fifteen minutes ... 8d.
 - For any less period ... 8d.

(c.) If hired within but discharged without Four Mile Circle :

- (1.) If by distance—
 - Not exceeding one mile ... 1s.
 - Exceeding one mile—
 - For each mile ended within circle ... 6d.
 - For each mile ended without circle ... 1s.
 - For any part of a mile over ... 1s.
- (2.) If by time: Payment as if carriage hired without circle.

EXTRA PAYMENTS.

(a.) Whether hired by distance or by time :

Luggage—
For each package carried outside ... 2d.

Extra persons—
For each person above two ... 6d.
Two children under ten years to count as one person.

By distance—Waiting :

For every fifteen minutes completed—
If hired within circle ... 6d. ⁽⁴⁾
If hired without circle ... 8d.

REVERSE SIDE.

HACKNEY CARRIAGE, No.

Proprietor's Name

Address

Reference in case of Complaints, or of Property being left in the Carriage, to be made either to the Proprietor at the above address or to a Police Station.

(1) The number mentioned in the Licence.

(2) In the case of a two-wheeled carriage, 2s. 6d.
(3) Ditto 8d.
(4) Ditto 8d.

(5) In the case of a two-wheeled carriage, 8d.

29. Immediately after the termination of any hiring, the driver of a hackney carriage, and immediately after the completion of any journey, the conductor of a stage carriage shall carefully search the carriage for any property which may have been accidentally left therein.

30. If any property found in a hackney or stage carriage, and brought to any police station by the driver, or by the driver or conductor thereof respectively, under the Statute

16 & 17 Vict., cap. 33, sec. 11*, be not, within three months, claimed and proved to the satisfaction of the Commissioner to belong to the claimant, the Commissioner shall forthwith sell such property, and out of the proceeds shall award to such driver or conductor as follows:—

For property consisting of or comprising any gold or silver money, bank notes jewelry, or watch, and being of less value than £10.	}	A sum equal to 3s. in the £1 on the value of the property.
For property of any other kind and being of less value than £10.		
For property of the value of £10 or upwards.	}	Such a sum as the Com- missioner shall deem reasonable.

Provided that the Commissioner may, if he think fit, at the expiration of the said period of three months, deliver the property to such driver or conductor, instead of awarding to him a sum of money.

31. If the property which shall have been so brought to a police station, be claimed before the expiration of the said period of three months, and the claimant prove to the satisfaction of the Commissioner that he is entitled thereto, the same shall be delivered to him on payment by him of all expenses incurred, and of a remuneration to the driver or conductor. The amount of such remuneration shall be determined by the Commissioner, with reference to the character and value of the property, in accordance with the foregoing section.

32. In pursuance of Section 10 of the above-mentioned Act, I hereby annex a penalty, not exceeding forty shillings, for the breach of any regulation or regulations made by Part III. of this Order.

33. The Orders made by the Right Honourable Henry Austin Bruce and the Right Honourable Herbert Henry Asquith, in virtue of the said Metropolitan Public Carriage Act, 1869, dated respectively the 10th day of March, 1871† and the 23rd day of March, 1893,‡ and the Order of the 5th day of August, 1896§ made by me, are hereby revoked, provided that every licence already granted in pursuance of the said Orders shall be as valid as if it had been granted in pursuance of and in accordance with the provisions of this Order.

34. This Order shall come into force the 1st day of September, 1897.

M. W. Ridley.

Whitehall,
18th August, 1897.

* The London Hackney Carriage Act, 1853.

† Published in "London Gazette," March 10, 1871, p. 1376.

‡ Printed in Statutory Rules and Orders, 1893, p. 431.

§ Printed in Statutory Rules and Orders, 1896, p. 208.

Schedule A.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict. cap. 115).

FORM OF APPLICATION FOR A HACKNEY CARRIAGE LICENCE.

I (a) _____
residing at (b) _____
hereby apply for a Licence to let a Carriage for the purpose of plying for hire as a Hackney Carriage within the Metropolitan and City Police Districts, under the Provisions of the "Metropolitan Public Carriage Act, 1869."

I hereby declare that no former Licence of mine has ever been revoked* or suspended, and that I have never been convicted of felony or a misdemeanour,† and that I am not under twenty-one years of age.

* If a former Licence has been revoked or suspended, the date and cause of such revocation or suspension are to be stated.

† If the Applicant has been convicted of a misdemeanour, the date of conviction is to be stated.

Signature in full _____

Dated _____

To the Commissioner of Police of the Metropolis.

(a) Insert Christian Name and Surname in full. If a member of a Partnership, say Senior Partner of the Firm of _____. If a Company is the applicant, say I (A.B. _____) Secretary or Manager of such and such a Company.

(b) If a Partnership, say carrying on Business. If a Company, say where Chief Office is.

(b) Insert the Number of the House, the Street, and the Parish.

Schedule B.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict. cap. 115).

FORM OF APPLICATION FOR A METROPOLITAN STAGE CARRIAGE LICENCE.

I (a) _____
residing at (b) _____
hereby apply for a Licence to let a Carriage for the purpose of plying for hire as a Stage Carriage within the Metropolitan and City Police Districts under the provisions of the "Metropolitan Public Carriage Act, 1869."

I hereby declare that no former Licence of mine has ever been revoked* or suspended, that I have never been convicted of felony or a misdemeanour,† and that I am not under twenty-one years of age.

* If a former Licence has been revoked or suspended, the date and cause of such revocation or suspension are to be stated.

† If the Applicant has been convicted of a misdemeanour, the date of conviction is to be stated.

Signature in full _____

Dated _____

To the Commissioner of Police of the Metropolis.

(a) Insert Christian Name and Surname in full. If a member of a Partnership, say Senior Partner of the Firm of _____. If a Company is the applicant, say I (A. B. _____), Secretary or Manager of such and such a Company.

(b) If a Partnership, say carrying on Business. If a Company, say where Chief Office is.

(b) Insert the Number of the House, the Street, and the Parish.

Schedule C.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict., cap. 115).

CERTIFICATE OF INSPECTOR OF PUBLIC CARRIAGES.

I certify that I have examined the Carriage submitted with this application, and find the same fit for public use, and constructed to carry _____ passengers inside, and _____ outside, and that the number of the Number Plate affixed to the same is _____.

Inspector of Public Carriages.

Dated _____

Schedule D.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict., cap. 115).

HACKNEY CARRIAGE LICENCE, No. _____

In consideration of a sum of Two pounds paid to the Receiver for the Metropolitan Police District, I hereby licence _____ residing at _____ to let the Carriage distinguished by the number given in the Margin hereof for the purpose of plying for hire as a Hackney Carriage within the limits of the above-mentioned Act for one year, unless this Licence shall be previously revoked or suspended, subject to the provisions of the Acts now in force as to Hackney Carriages, and subject to any Order made by Her Majesty's Principal Secretary of State by virtue of the "Metropolitan Public Carriage Act, 1869."

And I certify with regard to the said Carriage that the number of persons which it is licensed to carry is (a) _____ inside, and (a) _____ outside.

By order of Her Majesty's Principal Secretary of State.

Dated _____

Commissioner of Police of the Metropolis.

(a) Insert the Numbers respectively given in the Certificate of the Inspector of Public Carriages.

Schedule E.

"Metropolitan Public Carriage Act, 1869" (32 & 33 Vict., cap. 115).

STAGE CARRIAGE LICENCE, No. _____

In consideration of a sum of Two pounds paid to the Receiver for the Metropolitan Police District, I hereby licence _____ residing at _____ to let the Carriage distinguished by the number given in the Margin hereof for the purpose of plying for hire as a Metropolitan Stage Carriage within the limits of the above-mentioned Act for one year, unless the Licence shall be previously revoked or suspended, subject to the provisions of the Acts now in force as to Metropolitan Stage Carriages, and subject to any Order made by Her Majesty's Principal Secretary of State by virtue of the "Metropolitan Public Carriage Act, 1869."

And I certify with regard to the said Carriage that the number of persons which it is licensed to carry is (a) _____ inside, and (a) _____ outside.

By order of Her Majesty's Principal Secretary of State.

Dated _____

Commissioner of Police of the Metropolis.

(a) Insert the numbers respectively given in the Certificate of the Inspector of Public Carriages.

Schedule F.

DRIVER OF METROPOLITAN STAGE CARRIAGES.

32nd & 33rd Victoria, cap. 115.

LICENCE, No. .

Dated the day of , One thousand

<p>DESCRIPTION. —</p> <p>Age _____</p> <p>Height _____</p> <p>Eyes _____</p> <p>Hair _____</p> <p>Complexion _____</p>	<p>To _____</p> <p>of _____</p> <p>_____ to act as</p> <p>a Driver of Metropolitan Stage Carriages drawn by</p> <p>Animal power and none other, for one year, unless</p> <p>this Licence be sooner revoked or suspended.</p>
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By order of Her Majesty's Principal Secretary of State.

Police Office,

New Scotland Yard.

Commissioner of Police of the Metropolis.

This Licence is issued subject to the conditions of 32 & 33 Vict., cap. 115, and of all Orders made by Her Majesty's Principal Secretary of State in pursuance thereof, and if not sooner revoked, suspended, or renewed, must be delivered up at this Office on the day of .

Date.	Memorandum of Change of Abode.	Entered at the Office.

Entries as required by the Act 6 & 7 Vict., cap. 86, sec. 8, and by the 32 & 33 Vict., cap. 115, and the orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath.

Name of the Proprietor.	Address of the Proprietor.	Date when within-named Licensed Person entered Proprietor's Service.	Date of quitting Service.

Schedule G.

DRIVER OF METROPOLITAN STAGE CARRIAGE.

32nd & 33rd Victoria, cap. 115.

LICENCE, No. .

Dated the day of , One thousand

DESCRIPTION. <hr/> Age _____ Height _____ Eyes _____ Hair _____ Complexion _____	To _____ of _____ _____ to act as a Driver of Metropolitan Stage Carriages propelled by Mechanical power and none other, for one year, unless this Licence be sooner revoked or suspended.
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By order of Her Majesty's Principal Secretary of State.

Police Office,

New Scotland Yard.

Commissioner of Police of the Metropolis.

This Licence is issued subject to the conditions of 32 & 33 Vict., cap. 115, and of all Orders made by Her Majesty's Principal Secretary of State in pursuance thereof, and if not sooner revoked, suspended, or renewed, must be delivered up at this Office on the day of .

Date.	Memorandum of Change of Abode.	Entered at the Office.

Entries as required by the Act 6 & 7 Vict., cap. 86, sec. 8, and by the 32 & 33 Vict., cap. 115, and the orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath.

Name of the Proprietor.	Address of the Proprietor.	Date when within-named Licensed Person entered Proprietor's Service.	Date of quitting Service.

Stage Carriages :—Forms.

31

Schedule H.

CONDUCTOR OF METROPOLITAN STAGE CARRIAGES.

32nd & 33rd Victoria, cap. 115.

LICENCE, No.

Dated the day of , One thousand

<p>DESCRIPTION.</p> <p>_____</p> <p>Age _____</p> <p>Height _____</p> <p>Eyes _____</p> <p>Hair _____</p> <p>Complexion _____</p>	<p>To _____</p> <p>of _____</p> <p>_____ to act as</p> <p>a Conductor of Metropolitan Stage Carriages for</p> <p>one year, unless this Licence be sooner revoked or</p> <p>suspended.</p>
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By order of Her Majesty's Principal Secretary of State.

Police Office,

New Scotland Yard.

Commissioner of Police of the Metropolis.

This Licence is issued subject to the conditions of 32 & 33 Vict., cap. 115, and of all Orders made by Her Majesty's Principal Secretary of State in pursuance thereof, and if not sooner revoked, suspended, or renewed, must be delivered up at this Office on the day of .

Date.	Memorandum of Change of Abode.	Entered at the Office.

Entries as required by the Act 6 & 7 Vict., cap. 86, sec. 8, and by the 32 & 33 Vict., cap. 115, and the orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath.

Name of the Proprietor.	Address of the Proprietor	Date when within-named Licensed Person entered Proprietor's Service.	Date of quitting Service.

Schedule I.

DRIVER OF HACKNEY CARRIAGES.

32nd & 33rd Victoria, cap. 115.

LICENCE, No. .

Dated the _____ day of _____, One thousand

DESCRIPTION. <hr/> Age _____ Height _____ Eyes _____ Hair _____ Complexion _____	To _____ of _____ _____ to act as a Driver of Hackney Carriages drawn by Animal power, and none other, for one year, unless this Licence be sooner revoked or suspended.
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By order of Her Majesty's Principal Secretary of State.

Police Office,

New Scotland Yard.

Commissioner of Police of the Metropolis.

This Licence is issued subject to the conditions of 32 & 33 Vict., cap. 115, and of all Orders made by Her Majesty's Principal Secretary of State in pursuance thereof, and if not sooner revoked, suspended, or renewed, must be delivered up at this Office on the _____ day of _____.

Date.	Memorandum of Change of Abode.	Entered at the Office.

Entries as required by the Act 6 & 7 Vict., cap. 86, sec. 8, and by the 32 & 33 Vict., cap. 115, and the orders made in pursuance thereof, incorporating the said requirements, are to be made by Proprietors in the respective columns beneath.

Name of the Proprietor.	Address of the Proprietor.	Date when within-named Licensed Person entered Proprietor's Service.	Date of quitting Service.

Schedule K.

DRIVER OF HACKNEY CARRIAGES.

32nd & 33rd Victoria, cap. 115.

LICENCE, No. .

Dated the day of , one thousand

<p>DESCRIPTION.</p> <p>—</p> <p>Age _____</p> <p>Height _____</p> <p>Eyes _____</p> <p>Hair _____</p> <p>Complexion _____</p>	<p>To _____</p> <p>of _____</p> <p>_____ to act as</p> <p>a Driver of Hackney Carriages propelled by</p> <p>Mechanical power, and none other, for one year</p> <p>unless this Licence be sooner revoked or suspended.</p>
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By order of Her Majesty's Principal Secretary of State.

Police Office,

New Scotland Yard.

Commissioner of Police of the Metropolis.

This Licence is issued subject to the conditions of 32 & 33 Vict., cap. 115, and of all Orders made by Her Majesty's Principal Secretary of State in pursuance thereof, and if not sooner revoked, suspended, or renewed, must be delivered up at this Office on the day of .

Date.	Memorandum of Change of Abode.	Entered. at the Office.

Entries as required by the Act 6 & 7 Vict., cap. 86, sec. 8, and by the 32 & 33 Vict., cap. 115, and the Orders made in pursuance thereof, incorporating the said requirements, are to be made by proprietors in the respective columns beneath.

Name of the Proprietor.	Address of the Proprietor.	Date when within-named Licensed Person entered Proprietor's Service.	Date of quitting Service.

ADDITIONAL ORDER, DATED JULY 5, 1899, MADE BY THE SECRETARY OF STATE, IN PURSUANCE OF THE METROPOLITAN PUBLIC CARRIAGE ACT, 1869 (32 & 33 VICT. c. 115).

1899. No. 526.

Lights on Hackney Carriages.

In pursuance of the powers conferred on me by the ninth section of the Metropolitan Public Carriage Act, 1869, I order as follows:—

1. During the period between one hour after sunset and one hour before sunrise, no driver of a hackney carriage shall ply for hire, unless the hackney carriage under his charge be provided with a lamp, properly trimmed and lighted. Such lamp shall be fixed outside the carriage, in such a manner as to exhibit a white light to the front. If one lamp only be carried outside, it shall be fixed on the right or off side of the carriage.

2. In pursuance of Section 10 of the above-mentioned Act, I hereby annex a penalty not exceeding forty shillings for any breach of this Order.

3. This Order shall come into force on the 10th day of July, 1899.

M. W. Ridley,
One of Her Majesty's
Principal Secretaries of State.

Home Office, Whitehall,
5th July, 1899.

4. Street Collections.

(a) Metropolitan Police District.

REGULATIONS DATED SEPTEMBER 17, 1903, MADE BY THE SECRETARY OF STATE UNDER SECTION 1 OF THE METROPOLITAN STREETS ACT, 1903.*

Regulations.

In pursuance of the power conferred on me by Section 1 of the Metropolitan Streets Act, 1903,* I hereby make the following regulations to be observed by all persons within the general limits of the "Metropolitan Streets Act, 1867,"* with respect to the places where and the conditions under which

* 3 Edw. 7, c. 17.

Street Collections :—Metropolitan Police District. 35

persons may collect money in any street for charitable or other purposes :—

1. No collection shall be made in any part of the carriage-way of any street ; nor shall any collection be made on the footway except at such places as may be specified in permits to be obtained from the Commissioner of Police.

2. Applications for permits under the preceding regulation must be made at New Scotland Yard ten clear days in advance, and must state the date proposed for the collection, the object for which the collection is to be made, the number of collectors, and the places at which it is desired the collection shall be made.

3. Permits shall be current only for the day or days specified therein, and must be exhibited on the demand of any police officer.

4. Not more than two persons shall act as collectors at the same collecting place.

5. No boy under the age of 14, and no girl under the age of 16, shall act as a collector, except at the same place with, and under the charge of, an adult person.

6. No tables shall be used for the purpose of any collection except of such dimensions and at such places as may be stated in the permits. No boxes at the end of poles intended to reach upper windows or the roofs of conveyances shall be used by any collector.

7. No collector shall importune any person to the annoyance of such person.

E. R. Henry,
Commissioner of Police of the
Metropolis.

I approve the foregoing regulations,

A. Akers-Douglas,
One of His Majesty's Principal
Secretaries of State.

Home Office, 17th September, 1903.

Note.—Any person infringing these Regulations is liable to the penalties prescribed by Section 12 of the Metropolitan Streets Act, 1867.*

* 30 & 31 Vict., c. 134. The general limits are prescribed by Section 4 of that Act as amended by Section 2 of the Metropolitan Streets Act, 1885 (48 & 49 Vict., c. 18.).

(b) City of London Police District.

REGULATIONS DATED DECEMBER, 1903, MADE BY THE SECRETARY OF STATE UNDER SECTION 1 OF THE METROPOLITAN STREETS ACT, 1903.*

By virtue of the above recited Act, I, the Commissioner of Police for the City of London and the liberties thereof, make the following regulations to be observed by all persons within the general limits of the "Metropolitan Streets Act, 1867," † with respect to the places where and the conditions under which persons may collect money in any street for charitable or other purposes :—

1. No collection shall be made in any part of the carriage-way of any street, nor shall any collection be made on the footway except at such places as may be specified in permits to be obtained from the Commissioner of Police.

2. Applications for permits under the preceding regulation must be made at the City Police Office, 26, Old Jewry, E.C., ten days in advance, and must state the date proposed for the collection, the object for which the collection is to be made, the number of collectors, and the places at which it is desired the collection shall be made.

3. Permits shall be current only for the day or days specified therein, and must be exhibited on the demand of any police officer.

4. Not more than two persons shall act as collectors at the same collecting place.

5. No boy under the age of 14, and no girl under the age of 16, shall act as a collector except at the same place with, and under the charge of, an adult person.

6. No tables shall be used for the purpose of any collection except of such dimensions and at such places as may be stated in the permits. No boxes at the end of poles intended to reach upper windows or the roofs of conveyances shall be used by any collector.

7. No collector shall importune any person to the annoyance of such person.

As witness my hand this 29th day of October, 1903.

J. W. Nott-Bower,

Commissioner of Police for the
City of London.

* 3 Edw. 7, c. 17.

† 30 & 31 Vict. c. 134.

The Court of Aldermen consented to these regulations on the 8th December, 1903.

James Bell,

Town Clerk.

I approve the foregoing regulations,

A. Akers-Douglas,

One of His Majesty's Principal
Secretaries of State.

Home Office, 19th December, 1903.

Note.—Any person infringing these Regulations is liable to the penalties prescribed by Section 12 of the Metropolitan Streets Act, 1867.

METROPOLITAN WATER AREA.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED DECEMBER 24, 1902, UNDER THE METROPOLIS WATER ACT, 1902,* PROVIDING FOR THE CONSTITUTION OF THE METROPOLITAN WATER BOARD.

1902. No. 973.

To the London County Council :—
To the County Councils of Essex, Hertfordshire, Kent, Middlesex, and Surrey ;—
To the Mayor and Commonalty, and Citizens of the City of London, and to the Mayor, Aldermen and Commons of the said City in Common Council assembled ;—
To the Councils of the several Metropolitan Boroughs ;—
To the Mayor, Aldermen, and Burgesses of the Borough of West Ham ;—
To Urban District Councils of East Ham, Leyton, Tottenham, Walthamstow, and Willesden ;—
To the Conservators of the River Thames ;—
To the Lee Conservancy Board ;—
And to all others whom it may concern.

Whereas by Section 1 of the Metropolis Water Act, 1902* (herein-after referred to as the "Act"), it is enacted that a Board, to be called the Metropolitan Water Board (herein-after referred to as "the Water Board"), shall be established for the purposes mentioned in the said section, and by Subsection (3) of that section it is enacted that, subject to the provisions of the Act, the Water Board shall consist of a chairman, a vice-chairman, and other members, and that the chairman and vice-chairman shall be appointed by the Water Board, and the other members shall be appointed by certain councils, groups of councils and other bodies as follows :—

Fourteen by the London County Council.
Two by the Common Council of the City.
Two by the Council of the City of Westminster.
One by the Council of each of the other Metropolitan Boroughs.
One by the County Council of Essex.

* 2 Edw. 7, c. 41.

- Two by the Council of the Borough of West Ham.
- One by the Council of the Urban District of East Ham.
- One by the Council of the Urban District of Leyton.
- One by the Council of the Urban District of Walthamstow.
- One by the Councils of the Urban Districts of Buckhurst Hill, Chingford, Loughton, Waltham Holy Cross, Wanstead, and Woodford.
- One by the County Council of Kent.
- One by the Councils of the Urban Districts of Beckenham, Bromley, Chislehurst, Penge, Bexley, Dartford, Erith, and Footscray.
- One by the County Council of Middlesex.
- One by the Council of the Urban District of Tottenham.
- One by the Council of the Urban District of Willesden.
- One by the Council of the Borough of Ealing and the Councils of the Urban Districts of Acton and Chiswick.
- One by the Councils of the Urban Districts of Brentford, Hampton, Hampton Wick, Hamwell, Heston and Isleworth, Sunbury, Teddington, and Twickenham.
- One by the Councils of the Urban Districts of Edmonton, Enfield, and Southgate.
- One by the Councils of the Urban Districts of Hornsey and Wood Green.
- One by the County Council of Surrey.
- One by the Council of the Borough of Kingston and the Councils of the Urban Districts of East and West Molesey, Esher and the Dittons, Ham, Surbiton, Barnes, the Maldens and Coombe, and Wimbledon.
- One by the County Council of Hertfordshire.
- One by the Conservators of the River Thames.
- One by the Lee Conservancy Board.

And whereas by Sub-section (5) of Section 1 of the Act it is enacted that, subject to the provisions of that section, the provisions of the third schedule to the Act with respect to the constitution and proceedings of the Water Board shall have effect;

And whereas by the paragraph numbered 28 in the third schedule to the Act it is provided, amongst other things, that the Local Government Board shall take such steps as may be necessary for constituting the Water Board as soon as may be after the passing of the Act; and that all authorities and persons shall comply with any instructions issued by the Local Government Board for that purpose;

And whereas it is expedient to make provision forthwith for the appointment of a member or members of the Water Board, by each council or body named or described in the schedule to this Order and in the said schedule and in this Order referred to as a "constituent authority":

Now, therefore, we, the Local Government Board, in pursuance of the herein-before recited powers, and of all other

powers given to us in that behalf, do hereby order as follows :—

Article 1.—Each constituent authority named or described in column 1 of the schedule to this Order shall, at a meeting of the constituent authority to be held within two months from the date of this Order, or within such further time as we may allow, appoint such number of members of the Water Board as the constituent authority are entitled to appoint and as is specified in column 2 of the said schedule opposite to the name or description of the constituent authority in column 1 of that schedule.

Article 2.—The clerk, town clerk, secretary, or other officer or person by whom notices of meeting of a constituent authority are given shall, as the case may be, give to every member of the constituent authority not less than ten days' previous notice in writing of the meeting at which the appointment of any member of the Water Board in pursuance of Article 1 of this Order is to be made and of the intention to make such appointment.

The Schedule above referred to.

Name or Description of the Constituent Authority.	Number of Members to be appointed by the Constituent Authority.
1.	2.
The London County Council - - - - -	14
The Common Council of the City of London - - -	2
The Council of the City of Westminster - - -	2
The Council of the Metropolitan Borough of Battersea	1
The Council of the Metropolitan Borough of Bermondsey	1
The Council of the Metropolitan Borough of Bethnal Green.	1
The Council of the Metropolitan Borough of Camberwell	1
The Council of the Metropolitan Borough of Chelsea -	1
The Council of the Metropolitan Borough of Deptford	1
The Council of the Metropolitan Borough of Finsbury -	1
The Council of the Metropolitan Borough of Fulham -	1
The Council of the Metropolitan Borough of Greenwich	1
The Council of the Metropolitan Borough of Hackney -	1
The Council of the Metropolitan Borough of Hammer-smith.	1
The Council of the Metropolitan Borough of Hampstead	1
The Council of the Metropolitan Borough of Holborn -	1
The Council of the Metropolitan Borough of Islington -	1
The Council of the Metropolitan Borough of Kensington	1
The Council of the Metropolitan Borough of Lambeth -	1
The Council of the Metropolitan Borough of Lewisham	1
The Council of the Metropolitan Borough of Paddington	1
The Council of the Metropolitan Borough of Poplar -	1
The Council of the Metropolitan Borough of St. Mary-lebone.	1
The Council of the Metropolitan Borough of St. Pancras	1
The Council of the Metropolitan Borough of Shoreditch	1
The Council of the Metropolitan Borough of Southwark	1
The Council of the Metropolitan Borough of Stepney -	1
The Council of the Metropolitan Borough of Stoke Newington.	1
The Council of the Metropolitan Borough of Wandsworth.	1
The Council of the Metropolitan Borough of Woolwich	1
The County Council of Essex - - - - -	1
The Council of the Borough of West Ham - - -	2
The Council of the Urban District of East Ham - -	1
The Council of the Urban District of Leyton - -	1
The Council of the Urban District of Walthamstow	1
The County Council of Kent - - - - -	1
The County Council of Middlesex - - - - -	1
The Council of the Urban District of Tottenham -	1
The Council of the Urban District of Willesden -	1
The County Council of Surrey - - - - -	1
The County Council of Hertfordshire - - - - -	1
The Conservators of the River Thames - - - - -	1
The Lee Conservancy Board - - - - -	1

Given under the Seal of Office of the Local Government Board, this twenty-fourth day of December, in the year One thousand nine hundred and two.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

ORDER OF THE LOCAL GOVERNMENT BOARD, DATED JANUARY 9, 1903, UNDER THE METROPOLIS WATER ACT, 1902, PROVIDING AS TO THE CONSTITUTION, &c., OF JOINT COMMITTEES FOR APPOINTING MEMBERS OF THE METROPOLITAN WATER BOARD.

1903. No. 3.

To the several Councils grouped as Constituent Authorities under the Metropolis Water Act, 1902, for the appointment of members of the Metropolitan Water Board:—

And to all others whom it may concern.

Whereas by Section 1 of the Metropolis Water Act, 1902* (hereinafter referred to as "the Act"), it is enacted that a board, to be called the Metropolitan Water Board (hereinafter referred to as "the Water Board"), shall be established for the purposes mentioned in the said section, and by Subsection (3) of that section it is enacted that, subject to the provisions of the Act, the Water Board shall consist of a chairman, a vice-chairman, and other members, and that the chairman and vice-chairman shall be appointed by the Water Board, and the other members shall be appointed by certain councils, groups of councils, and other bodies as follows:—

Fourteen by the London County Council.

Two by the Common Council of the City.

Two by the Council of the City of Westminster.

One by the Council of each of the other Metropolitan Boroughs.

One by the County Council of Essex.

Two by the Council of the Borough of West Ham.

One by the Council of the Urban District of East Ham.

One by the Council of the Urban District of Leyton.

One by the Council of the Urban District of Walthamstow.

One by the Councils of the Urban Districts of Buckhurst Hill, Chingford, Loughton, Waltham Holy Cross, Wanstead, and Woodford.

* 2 Edw. 7, c. 41.

- One by the County Council of Kent.
- One by the Councils of the Urban Districts of Beckenham, Bromley, Chislehurst, Penge, Bexley, Dartford, Erith, and Footscray.
- One by the County Council of Middlesex.
- One by the Council of the Urban District of Tottenham.
- One by the Council of the Urban District of Willesden.
- One by the Council of the Borough of Ealing and the Councils of the Urban Districts of Acton and Chiswick.
- One by the Councils of the Urban Districts of Brentford, Hampton, Hampton Wick, Hanwell, Heston, and Isleworth, Sunbury, Teddington, and Twickenham.
- One by the Councils of the Urban Districts of Edmonton, Enfield, and Southgate.
- One by the Councils of the Urban Districts of Hornsey and Wood Green.
- One by the County Council of Surrey.
- One by the Council of the Borough of Kingston and the Councils of the Urban Districts of East and West Molesey, Esher and the Dittons, Ham, Surbiton, Barnes, the Maldens and Coombe, and Wimbledon.
- One by the County Council of Hertfordshire.
- One by the Conservators of the River Thames.
- One by the Lee Conservancy Board.

And whereas by Sub-section (5) of Section 1 of the Act it is enacted that, subject to the provisions of that section, the provisions of the third schedule to the Act with respect to the constitution and proceedings of the Water Board shall have effect:

And whereas by Section 37 of the Act, the expression "Constituent Authority" is defined as meaning a council, group of councils, or other body entitled to appoint one or more members of the Water Board;

And whereas by the paragraph numbered 8 in the third schedule to the Act it is provided that a member appointed by a constituent authority consisting of a group of councils shall be appointed by those councils acting through a joint committee;

And whereas by the paragraph numbered 9 in the third schedule to the Act, subject to any variation of representation according to the provisions of the Act, the number of members of each joint committee, and the number of members of the joint committee who are to be appointed by each of the several councils grouped by the Act and named or described in the said paragraph are fixed, and the said numbers in relation to the several joint committees and councils are those set forth in the schedule to this Order;

And whereas by the paragraph numbered 11 in the third schedule to the Act it is provided that we, the Local Govern-

ment Board, may make regulations as to the constitution, term of office, quorum, proceedings, officers, and place of meeting of a joint committee ;

And whereas by the paragraph numbered 28 in the third schedule to the Act it is provided, amongst other things, that we shall take such steps as may be necessary for constituting the Water Board as soon as may be after the passing of the Act ; and that all authorities and persons shall comply with any instructions issued by us for that purpose :

Now, therefore, for the purposes aforesaid in relation to the constituent authorities consisting of the groups of Councils named or described in the second column of the schedule to this Order, and to the joint committees through whom the said constituent authorities will act, we, in pursuance of the herein-before recited powers, and of all other powers given to us in that behalf, do hereby order as follows :—

Article 1.—(1) Each of the councils named or described in the second column of the schedule to this Order shall, at a meeting of the council to be held within six weeks from the date of this Order, or within such further time as we may allow, proceed to appoint the number of members set opposite to the name or description of the council in the third column of the said schedule, to represent the council on the joint committee for the group of councils within which the council is included.

First appointment of members of Joint Committee.

(2) Seven days' previous notice in writing of the meeting of the council, and of the intention to make the appointment, shall be given or sent to each member of the council by the clerk to the council, or the town clerk, as the case may be.

Article 2.—Every member appointed by a council to represent the council on a joint committee shall be appointed by the council from among the members of their own body.

Qualification of members of Joint Committee.

Article 3.—Upon the first appointment by a council of a member or members, as the case may be, to represent the council on the joint committee the clerk to the council, or the town clerk, as the case may be, shall forthwith notify in writing to us, the names, address, and occupation of each member so appointed.

Notification to Local Government Board of members first appointed on Joint Committee.

Article 4.—A member of a joint committee shall continue in office until he dies, or resigns, or goes out of office as a member of the council by whom he was appointed a member of the joint committee :

Tenure of office of members of Joint Committee.

Provided that a member of a joint committee who ceases to hold office by reason of his resignation, or going out of office as a member of such council, shall be re-eligible as a member of the joint committee if at the time of re-appointment he is qualified to be so re-appointed.

Supply of
vacancies
on Joint
Committee.

Article 5.—(1) On a vacancy occurring in a joint committee by reason of the death or resignation of a member, or otherwise, the council by whom that member was appointed shall, subject to the provisions of this Order, appoint another member in his place.

(2) The person appointed to fill the vacancy shall be appointed at a meeting of the council to be held within six weeks after the occurrence of that vacancy, or within such further time as we may allow.

(3) Seven days' previous notice in writing of the meeting of the council and of the intention to make the appointment shall be given or sent to each member of the council by the clerk to the council, or the town clerk, as the case may be.

(4) The clerk to the council, or the town clerk, as the case may be, shall as soon as the appointment has been made, notify in writing to the clerk to the joint committee the names, address, and occupation of the person so appointed.

Meetings
and Quorum
of Joint
Committee.

Article 6.—(1) The time and place of holding the first meeting of each joint committee shall be fixed by us, and the subsequent meetings of the joint committee shall be held at such times and places as the joint committee appoint.

(2) The quorum of each joint committee shall be one-third of the whole number of the joint committee, provided that in no case shall the quorum be less than three.

(3) A chairman shall be elected at every meeting of each joint committee; and the election of the chairman shall be the first business to be transacted at that meeting.

(4) Any question to be determined at a meeting of each joint committee shall be decided by a majority of the votes of the members present and voting on that question; and, in the case of equality of votes, the chairman shall have a second or casting vote.

(5) Notices of all meetings of each joint committee shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the joint committee three clear days before the day of meeting.

First appoint-
ment of
Member
of Water
Board.

Article 7.—Each joint committee shall at their first meeting, or at an adjournment of that meeting, appoint a person to be the member to represent on the Water Board the constituent authority consisting of the group of councils acting through the joint committee, and the chairman at the said meeting of the joint committee shall forthwith notify in writing to us the names, address, and occupation of the person so appointed a member of the Water Board.

Future
triennial
appointment
of Member
of Water
Board.

Article 8.—During the month of May, One thousand nine hundred and seven, and during the month of May in every third year thereafter, each joint committee shall, at a meeting duly convened for the purpose, appoint a person to

be the member to represent on the Water Board the constituent authority consisting of the group of councils acting through the joint committee, and the clerk to the joint committee shall forthwith notify in writing to the clerk to the Water Board the names, address, and occupation of the person so appointed a member of the Water Board.

Article 9.—When a casual vacancy occurs in the Water Board, and the casual vacancy is one to be filled by a constituent authority consisting of a group of councils acting through a joint committee, the joint committee shall, at a meeting duly convened for the purpose, appoint a person to be the member to represent that constituent authority on the Water Board in the place of the person who has ceased to be a member, and the clerk to the joint committee shall forthwith notify in writing to the clerk to the Water Board the names, address, and occupation of the person so appointed a member of the Water Board.

Casual
vacancy in
Water Board.

Article 10.—(1) Each joint committee shall at their first meeting, or at an adjournment of that meeting, and thereafter as occasion shall require, appoint a clerk.

Clerk to Joint
Committee.

(2) The joint committee may pay their clerk such reasonable remuneration as they think fit, and the clerk shall be removable by the joint committee at their pleasure.

Article 11.—(1) The expenses incurred by each joint committee in carrying out the purposes of the Act, or of this Order, shall be defrayed from time to time, as occasion may require, by the constituent authority consisting of the group of councils acting through the joint committee.

Expenses
of Joint
Committee.

(2) The contribution of each council to the said expenses shall be in the proportion which the number of members representing the council on the joint committee bears to the total number of members of the joint committee.

Given under the seal of office of the Local Government Board, this ninth day of January, in the year One thousand nine hundred and three.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

Schedule.

Number of Members of Joint Committee.	Grouped Council.		Number of Members to be appointed by each Council included in the Group.
1.	2.	3.	4.
12	The Council of the Urban District of Buckhurst Hill - The Council of the Urban District of Chingford - - The Council of the Urban District of Loughton - - The Council of the Urban District of Waltham Holy Cross - The Council of the Urban District of Wanstead - - The Council of the Urban District of Woodford - -	- - - - - -	1 1 1 2 3 4
20	The Council of the Urban District of Beckenham - - The Council of the Urban District of Bromley - - The Council of the Urban District of Chislehurst - - The Council of the Urban District of Penge - - - The Council of the Urban District of Bexley - - - The Council of the Urban District of Dartford - - The Council of the Urban District of Erith - - - The Council of the Urban District of Footscray - -	- - - - - - - -	4 4 1 3 2 2 3 1
8	The Council of the Borough of Ealing - - - - The Council of the Urban District of Acton - - - - The Council of the Urban District of Chiswick - - -	- - -	3 3 2
21	The Council of the Urban District of Brentford - - The Council of the Urban District of Hampton - - The Council of the Urban District of Hampton Wick - - The Council of the Urban District of Hanwell - - - The Council of the Urban District of Heston and Isleworth - The Council of the Urban District of Sunbury - - The Council of the Urban District of Teddington - - The Council of the Urban District of Twickenham - -	- - - - - - - -	3 2 1 2 5 1 3 4
5	The Council of the Urban District of Edmonton - - The Council of the Urban District of Enfield - - The Council of the Urban District of Southgate - -	- - -	2 2 1
7	The Council of the Urban District of Hornsey - - - The Council of the Urban District of Wood Green - - -	- -	5 2
33	The Council of the Borough of Kingston - - - - The Council of the Urban District of East and West Molesey - The Council of the Urban District of Esher and the Dittons - The Council of the Urban District of Ham - - - The Council of the Urban District of Surbiton - - - The Council of the Urban District of Barnes - - - The Council of the Urban District of the Maldens and Coombe The Council of the Urban District of Wimbledon - -	- - - - - - - -	7 2 3 1 4 4 2 10

ORDER IN COUNCIL CONFIRMING THE METROPOLITAN WATER STOCK REGULATIONS, 1903.

No. 673. 1903.

At the Court at Buckingham Palace, the 11th day of August, 1903.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas the Local Government Board have, in virtue of the power conferred upon them by the Metropolitan Water Act, 1902, made certain Regulations with respect to the creation, issue, transfer, dealing with, and redemption of Metropolitan Water Stock which the Metropolitan Water Board create under that Act :

And whereas the said Regulations have, as required by the Public Health Acts Amendment Act, 1890,* as applied by the Metropolitan Water Act, 1902,† been laid before both Houses of Parliament for the period of thirty days, and no resolution has been passed by either House that such Regulations ought not to be proceeded with :

Now, therefore, His Majesty, having taken the said Regulations (copy whereof is hereunto annexed) into consideration, is pleased, by and with the advice of His Privy Council, to confirm, and doth hereby confirm, the said Regulations.

A. W. FitzRoy.

REGULATIONS REFERRED TO IN THE FOREGOING ORDER IN COUNCIL.

Whereas by the Metropolitan Water Act, 1902† (herein-after referred to as "the Act"), it is enacted that a Board, to be called the Metropolitan Water Board (herein-after referred to as the "Water Board"), shall be established for the purpose of acquiring by purchase and of managing and carrying on the undertakings of the companies mentioned in the first schedule to the Act (which companies in the Act and herein-after are referred to as "the Metropolitan Water Companies"), and generally for the purpose of supplying water within the area described in the second schedule to the Act, subject to such alterations therein as may be made by or under the Act ;

And whereas the Act confers upon the Water Board certain borrowing powers, establishes a Water Fund, and provides for the discharge of certain sums by means of Metropolitan Water Stock and for other purposes in respect of which that Stock may or shall be issued ;

* 53 & 54 Vict. c. 59.

† 2 Edw. 7. c. 41.

And whereas by Sections 17 and 18 of the Act it is enacted as follows; that is to say,—

- “17.—(1) For the purpose of enabling the Water Board to raise money which they are authorised to borrow under this Act, and to issue any water stock which, under the provisions of this Act, is to be issued to any metropolitan water company or the holder of any debenture stock or mortgage debt, the Water Board may create a sufficient amount of stock, to be called Metropolitan Water Stock, and in this Act referred to as water stock, bearing interest at such a rate not exceeding three pounds per centum per annum, as the Water Board with the consent of the Local Government Board, and after consultation with the Governor of the Bank of England, may resolve.
- “(2) Water stock and interest thereon shall be charged on the water fund and on all the revenues of the Water Board.
- “(3) Subject to the provisions of this Act, the provisions of Section 52 of the Public Health Acts Amendment Act, 1890,* which relates to the issue of stock by local authorities, shall apply to water stock as if it were stock created under, and the Water Board were an authority mentioned in, that section, and the regulations in respect of water stock issued to the holders of irredeemable debenture stock shall be uniform with the regulations in respect of other water stock except as to the period of redemption and the provisions relating thereto.
- “(4) Water stock shall be included amongst the securities in which a trustee may invest under the powers of the Trustee Act, 1893.
- “18.—(1) The Water Board shall in accordance with regulations made by the Local Government Board, by the creation of one or more sinking or redemption funds or otherwise, make provision for—
- “(a) the discharge within a period of one hundred years from the thirty-first day of March, One thousand nine hundred and three, of the amount of any water stock issued by the board in consideration for the undertaking of any metropolitan water company, or in substitution, or in consideration for any debenture stock or mortgage debts;

* 53 & 54 Vict. c. 59.

“(b) the discharge within that period of all debenture stock and mortgage debts which under this Act are to be discharged within that period ; and

“(c) the discharge within the periods within which they are under this Act to be discharged of any sums borrowed by the Water Board under this Act :

“Provided that during the first twenty years of the said period of one hundred years the Water Board shall not be required to make any payments towards the discharge of water stock, debenture stock, mortgage debts, or loans, for the discharge of which the said period of one hundred years is fixed by this Act, other than the payment in respect of each year towards the discharge of such water stock of the amount (if any) by which the receipts or revenue account exceed the expenditure on that account of the Water Board in that year, after deducting such sum as may be reasonably necessary for meeting current expenses. The sums so to be paid shall be paid as soon as may be after the amount thereof is ascertained, and the certificate of the auditor of the accounts of the Water Board, subject to such variations as the Local Government Board may allow, shall be conclusive as to the amount to be paid.

“(2) The Local Government Board may make regulations under this section, and the regulations so made—

“(a) if they relate to the discharge of water stock, shall be made under Section 52 of the Public Health Acts Amendment Act, 1890,* as applied by this Act ;

* * * * *

“(3) For the purpose of this section, the expression ‘discharge’ means—

(a) with respect to water stock * * * * ,
the redemption or purchase thereof ;”

* * * * *

And whereas Section 52 of the Public Health Acts Amendment Act, 1890,* is in the following terms ; that is to say,—

“52.—(1) Where any authority, whether a municipal corporation, local board, or improvement commissioners, which is an urban authority, have for the time being, either in their capacity, as urban authority or in any other capacity, any power to borrow money, they may, with the consent of the Local Government Board, exercise such power by the

* 53 & 54 Vict. c. 59.

creation of stock to be created, issued, transferred, dealt with, and redeemed in such manner, and in accordance with such regulations, as the Local Government Board may from time to time prescribe.

- “(2) Without prejudice to the generality of the above power, such regulations may provide for the discharge of any loan raised by such stock, and in the case of consolidation of debt for extending or varying the times within which loans may be discharged, and may provide for the consent of limited owners and for the application of the Acts, relating to stamp duties and to cheques, and for the disposal of unclaimed dividends, and may apply for the purposes of this section, with or without modifications, any enactments of the Local Loans Act, 1875* and the Acts amending the same, and of any Act relating to stock issued by the Metropolitan Board of Works, or the County Council of London, or by the Corporation of any municipal borough.
- “(3) Such regulations shall be laid before each House of Parliament for not less than thirty days during which such House sits, and if either House during such thirty days resolves that such regulations ought not to be proceeded with, the same shall be of no effect, without prejudice, nevertheless, to the making of further regulations.
- “(4) If no such resolution is passed, it shall be lawful for Her Majesty by Order in Council to confirm such regulations, and the same when so confirmed shall be deemed to have been duly made and to be within the powers of this Act, and shall be of the same force as if they were enacted in this Act.”

Now, therefore, we, the Local Government Board, in pursuance of the powers given to us in that behalf, do hereby make the following Regulations (herein-after referred to as “the Regulations”), and do hereby order and prescribe that the Regulations shall, from and after the confirmation thereof, apply to the creation, issue, transfer, dealing with, and redemption of any Metropolitan Water Stock which the Water Board create under the Act in the exercise of any statutory borrowing power as defined in the Regulations:—

PRELIMINARY.

Article 1.—In the Regulations the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely,—

The expression “the Water Board” means the Metropolitan Water Board;

Interpretation.

“The Water Board.”

* 38 & 39 Vict. c. 83.

The expression "the clerk" means the clerk of the Water Board "The Clerk."

The expression "stock," means Metropolitan Water Stock created by the Water Board under the Act and the Regulations "Stock."

The expression "the Water Fund" means the Water Fund established in pursuance of the Act; "The Water Fund."

The expression "the Board" means the Local Government Board "The Board."

The expression "the Bank of England" means the governor and company of the Bank of England; "The Bank of England."

The expression "Statutory borrowing power" means any power of the Water Board under the Act (other than the power conferred by Section 44 of the Act), or under the Regulations, or under any consent of the Board in pursuance of the Act or of the Regulations, whether the power be or be not coupled with a duty,— "Statutory borrowing power."

- (a) Of borrowing money; or
- (b) Of re-borrowing money for paying off any money borrowed or for redeeming any stock created and issued or any other security granted by the Water Board; or
- (c) Of redeeming any stock created and issued by the Water Board; or
- (d) Of creating and issuing any stock to be issued to a Metropolitan Water Company or to any person to whom the Water Board may be required to issue stock; or
- (e) Of substituting stock for any debenture, debenture stock, or mortgage debt, the liability for which is transferred by the Act to the Water Board, or for any stock created and issued or for any other security granted by the Water Board.

The expression "statutory security" means any security in which trustees are by law for the time being authorised to invest, and any mortgage, bond, debenture, debenture stock, stock, or other security (not being annuities, rentcharges, or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act, 1875,* but exclusive in every case of any security of the Water Board; "Statutory security."

The expression "prescribed period" means, in relation to an amount of stock created and issued for the purpose of exercising a statutory borrowing power, the period within which, in pursuance of any enactment applicable to the case, or of any consent of the Board under the Act or the Regulations, or of any Scheme of Consolidation "Prescribed period."

* 38 & 39 Vict. c. 83.

under the Regulations, provision is required to be made for the repayment of moneys borrowed, or for the redemption of stock issued, in the exercise of the statutory borrowing power.

CREATION OF STOCK.

Creation of stock.

Article 2.—(1.) The Water Board, in pursuance of their powers under Section 17 of the Act, and of any statutory borrowing power exercisable by the creation and issue of stock, shall by resolution create two classes of stock; that is to say,—

- (i.) Stock to be designated Metropolitan Water (A) Stock and to be issued to holders of irredeemable debenture stock of any metropolitan water company in substitution for that irredeemable stock, or, with the consent of the Board signified by Order, to be issued for the purpose of exercising any other statutory borrowing power;
- (ii.) Stock to be designated "Metropolitan Water (B) Stock" and to be issued for the purpose of exercising any statutory borrowing power exercisable otherwise than by the issue of Metropolitan Water (A) Stock.

(2.) The Water Board, with the consent of the Board signified by Order, may, by resolution, from time to time create and may thereafter issue stock of any other class than Metropolitan Water (A) Stock or Metropolitan Water (B) Stock. The stock so created and issued shall have such designation as the Water Board, in their resolution for the creation of the stock, determine and the Board approve.

(3.)—(i.) Every resolution for the creation of stock shall specify the particular borrowing power for the purpose of which the stock is created, and, where the stock is created in the exercise of more than one borrowing power, the amount of money to be raised by the stock in respect of each borrowing power.

(ii.) A copy of every such resolution shall be forwarded to the Board as soon as conveniently may be after the passing of the resolution.

(4.)—(i.) Metropolitan Water (A) Stock shall be redeemable at par at the option of the Water Board after the expiration of a period of sixty years from the Thirty-first day of March, One thousand nine hundred and three.

(ii.) Metropolitan Water (B) Stock shall be redeemable at par at the option of the Water Board after the expiration of a period of thirty years from the date of the first creation of stock of that class.

(iii.) Stock of a class other than Metropolitan Water (A) Stock or Metropolitan (B) Stock shall be redeemable at par at the option of the Water Board after the expiration of such period from the date of the first creation of stock of that class as the Water Board determine and the Board approve.

The period so determined and approved shall be specified in each resolution for the creation of stock of the class to which the resolution relates.

(5.) Each class of stock shall be created on such terms and subject to such conditions that all stock at any time belonging to that class shall bear one and the same rate of dividend, shall be transferable in the same manner, shall become redeemable at the same time, and shall in all other respects be of the same character.

(6.) Subject to the provisions of the Act and of the Regulations, and to any consent of the Board in pursuance of the said provisions, all stock shall be transferable in such manner as the Board, by Order, direct or approve, and may be issued for such an amount (being within the statutory borrowing power applicable to the case) at such price, and to bear such half-yearly or other dividends, as the Water Board, by the resolution for the creation of the stock, direct.

Article 3.—The Water Board in the exercise of a statutory borrowing power may create and issue stock for the purpose of defraying the expenses of the creation and issue of any stock; and shall provide for the redemption of any stock created and issued in pursuance of this Article within the period for the redemption of the stock in respect of which the said expenses are incurred.

Expenses of issue of stock.

Article 4.—Subject to the provisions of the Act, all stock from time to time created by the Water Board in pursuance of the Regulations shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power, or in the date of creation of any class of stock or of any portion of stock, or in the date of issue of any portion of stock, or on any other ground whatsoever, and shall also rank equally with all other securities of the Water Board created or granted in pursuance of any statutory borrowing power or in pursuance of any Act to be hereafter passed, and all dividends payable on any such stock shall rank equally with interest on all other securities of the Water Board created or granted in pursuance of any statutory borrowing power or in pursuance of any Act to be hereafter passed.

Ranking of stock.

Article 5.—(1.) When the Water Board in the exercise of a statutory borrowing power create stock for the purpose of borrowing money, of re-borrowing money, or of redeeming stock, the Water Board may create stock of such total amount and may from time to time issue such nominal amounts of

Borrowing power to be exercisable for actual sum raisable.

stock within the limits of the total amount so created as will, according to the price actually realised in respect of each issue, produce the actual amount, or some portion of the actual amount, of money which, in the exercise of the statutory borrowing power, the Water Board may borrow or re-borrow or may require for redeeming any stock.

(2.) When the Water Board in the exercise of a statutory borrowing power create stock for the purpose of issuing stock to a Metropolitan Water Company, or to any person to whom the Water Board may be required to issue stock, or for the purpose of substituting stock for any debenture, debenture stock, mortgage debt, stock, or other security, the amount of stock to be so created and to be thereafter issued shall be such amount as, in pursuance of the Act or of the Regulations, the Water Board are required or authorised to issue or substitute as aforesaid.

CONSOLIDATION OF LOANS.

Consolidation
of loans.

Article 6.—(1.) For the purpose of the repayment of all or any loans which have been lawfully raised by the Water Board by the creation and issue of stock, and the periods for the repayment of which have been fixed by the Board, the Board, having due regard to the amounts of the several loans and the periods allowed for their discharge, may approve a scheme for the consolidation of the said loans.

(2.) Any such scheme as aforesaid may fix the period or periods within which the loans so consolidated shall be discharged, and for that purpose may extend or vary any period allowed for the discharge of the loans, and may also apply and have effect with respect to any loans theretofore included in a scheme of consolidation in pursuance of this Article.

(3.) Any scheme of consolidation approved by the Board as aforesaid may be varied by a subsequent scheme in pursuance of this Article.

DIVIDENDS FUND.

Maintenance
and use of
Dividends
Fund Account.

Article 7.—(1.) For the payment of dividends on the several classes of stock there shall in each year be carried to accounts of the Water Fund, entitled the Stock (Dividends) Fund Accounts, a sum or sums equal to the aggregate amount of all dividends payable during the year.

(2.) There shall be a separate Stock (Dividends) Fund Account, distinguished by a number or otherwise, for each class of stock, and each such account is hereinafter referred to as the Dividends Fund Account.

(3.) The Water Board shall, from time to time, pay the dividends on stock and charge the same to the appropriate Dividends Fund Account.

REDEMPTION OF STOCK.

Article 8.—(1.) Subject to the provisions of the Act as regards stock for the discharge of which provision is required by the Act to be made within a period of one hundred years from the thirty-first day of March, One thousand nine hundred and three, there shall in each year, for redemption and extinction, or purchase and extinction, of the several classes of stock, be carried to accounts of the Water Fund, entitled the Stock (Redemption) Fund Accounts, a sum or sums equal to the aggregate amount of all sums payable in the year for redemption and extinction, or purchase and extinction, of stock.

Redemption
Fund Account.

(2.) There shall be a separate Stock (Redemption) Fund Account, distinguished by a number or otherwise, for each class of stock, and each such account is hereinafter referred to as the Redemption Fund Account.

(3.) Subject to the provisions of the Act and of the Regulations the sums to be carried to the Redemption Fund Account in each year in respect of any stock shall be determined by reference to the provisions either of paragraph (a) or paragraph (b) of this sub-division, according as the Water Board, with the consent of the Board, decide; that is to say,—

Amounts to
be carried
yearly to
Redemption
Fund
Account.

Either—

(a) The Water Board shall carry to the Redemption Fund Account throughout the prescribed period such equal annual sums as will, without accumulations, at the end of that period together make up a sum equal to the nominal amount of the stock in respect of which the said sums are carried to the account; or

(b) The Water Board shall carry to the Redemption Fund Account, throughout the prescribed period,—

(i.) Such equal annual sums as, being accumulated at compound interest at a rate not exceeding three pounds per centum per annum, or at such lesser rate as the Board from time to time determine, would, after payment of all expenses, make up a sum equal to the nominal amount of the stock in respect of which the said sums are carried to the account; and

(ii.) Accumulations of the said equal annual sums at compound interest at the rate per centum on which the said equal annual sums are respectively calculated.

Article 9.—(1.) In relation to stock for the discharge of which provision is required by the Act to be made within a period of one hundred years from the thirty-first day of March, One thousand nine hundred and three, there shall, during the first twenty years of that period, be carried to the Redemption

Variation in
amounts to be
carried yearly
to Redemp-
tion Fund
Account.

Fund Accounts in respect of that stock, in substitution for any sums required by Article 8 to be carried to the Redemption Fund Accounts during that period, such sums as, in pursuance of the proviso to Section 18 (1) of the Act, are required to be paid towards the discharge of the said stock, together with the accumulations of the said sums as required by Article 11, and any sums so required to be paid, and the accumulations thereof, shall be carried to such Redemption Fund Account as the Board from time to time determine.

(2.) If it appears to the Board at any time that the amount standing to the credit of the Redemption Fund Account in respect of any stock, with the future annual sums to be carried to the account under the Regulations, will probably not be sufficient within the prescribed period to make up a sum equal to the nominal amount of the stock, the sums to be carried to the account shall be increased annually or otherwise to such extent as the Board direct.

(3.) If it appears to the Board at any time that the amount standing to the credit of the Redemption Fund Account in respect of any stock, with the future annual sums to be carried to the account under the Regulations, will probably be more than sufficient within the prescribed period to make up a sum equal to the nominal amount of the stock, the sums to be carried to the account may be reduced either temporarily or permanently to such extent as the Board may allow.

(4.) If at any time the total amount carried to the credit of the Redemption Fund Account in respect of any stock is such that, in the opinion of the Board, it will probably be sufficient with the accumulations thereof (if accumulations are required) within the prescribed period to make up the nominal amount of the stock, the Water Board may, with the consent of the Board, cease to carry any sums to the account in respect of that stock until the Board otherwise direct.

Subsidiary
provisions as
to Redemp-
tion Fund
Account.

Article 10.—(1.) In any case where moneys which have been carried to the Redemption Fund Account are applied in the redemption or purchase and extinction of stock at a rate exceeding one hundred pounds sterling for one hundred pounds stock, the Water Board shall carry to the Redemption Fund Account, during the year in which the redemption is effected or the purchase is made, an additional sum or sums equal in amount to the sum or sums paid in excess of the said rate for the redemption or purchase of stock in that year.

(2.) When the Water Board redeem or purchase and extinguish stock by the application of moneys which have been carried to the Redemption Fund Account, the stock so redeemed or purchased and extinguished shall be deemed to be stock issued in respect of such one or more of the statutory borrowing powers exercised by the creation and issue of stock and, if in respect of more than one, in such proportions as the Water Board determine: Provided that no larger amount of

stock shall be deemed to be redeemed or purchased and extinguished in respect of any statutory borrowing power than the amount which, according to the actual price of redemption or purchase, could be redeemed or purchased with the moneys carried to the Redemption Fund Account in respect of that borrowing power.

Article 11.—(1.) In relation to stock for the discharge of which provision is required by the Act to be made within a period of one hundred years from the thirty-first day of March, One thousand nine hundred and three, the Water Board, during the first twenty years of that period, shall from time to time invest in statutory securities such sums as, in pursuance of the proviso to Section 18 (1) of the Act, and of Article 9, are required to be paid towards the discharge of the said stock, and the interest and annual proceeds arising from those securities shall be invested and accumulated in like manner.

Investment
and applica-
tion of sums
carried to
Redemption
Fund Account.

(2.) The Water Board may from time to time apply the sums standing to the credit of the Redemption Fund Account, other than sums and the accumulations of sums mentioned in sub-division (1) of this Article, in redeeming stock according to the terms of issue and purchasing stock for extinction, but the annual sums to be carried to the Redemption Fund Account shall not be affected by the said application, and pending or in default of any such application of the said sums or of their application in the manner authorised by sub-division (3) of this Article, the Water Board shall invest the said sums in statutory securities, and the interest or annual proceeds arising from every such investment shall be carried to the general revenue Account of the Water Fund, or to the Dividends Fund Account, as the Water Board think fit.

(3.) Notwithstanding anything in sub-division (2) of this Article—

(a) Where the Water Board have any statutory borrowing power exercisable for the purpose of raising money by the creation and issue of stock, the Water Board, instead of exercising the statutory borrowing power by the creation and issue of additional stock, may, subject as is herein-after provided, exercise the statutory borrowing power, either wholly or partially, by using for the purpose any moneys, other than moneys to which sub-division (1) of this Article applies, for the time being standing to the credit of the Redemption Fund Account and of any separate account forming part of the Redemption Fund Account.

(b) Where the Water Board determine to proceed in the manner authorised by paragraph (a) of this sub-division the Water Board shall pass a resolution to that effect and shall, by the resolution, prescribe all

such matters or things as in or in pursuance of this sub-division are referred to as prescribed or are required to be prescribed; and, after passing the resolution, the Water Board shall—

- (i.) withdraw from the moneys standing to the Redemption Fund Account the prescribed sum which shall be equal to the amount of the statutory borrowing power proposed to be exercised, and such sum shall be deemed to be withdrawn from such separate account or separate accounts of the Redemption Fund Account as shall be prescribed; and
- (ii.) deduct from the amount of stock for the time being chargeable to the purpose or attributable to the exercise of the borrowing power to which a separate account prescribed as aforesaid has reference, a portion of stock at par value equal to the sum withdrawn from that separate account, and transfer that portion of stock, as from the prescribed date, to the separate account in respect of which the statutory borrowing power is exercised under this clause.

(4.) The Regulations shall apply—

- (a) to the moneys withdrawn from the Redemption Fund Account and used in pursuance of sub-division (3) of this Article as though the moneys so withdrawn had been applied in the redemption of stock at par on the separate account or separate accounts from which the moneys so used had been raised by the issue of additional stock for the purposes of the separate account in respect of which the statutory borrowing power is exercised under sub-division (3) of this Article: and
 - (b) to the stock deducted and transferred in pursuance of sub-division (3) of this Article as though the stock so deducted had, in pursuance of the Regulations, been redeemed by the application of moneys carried to the Redemption Fund Account on the separate account or separate accounts from which the stock was deducted, but subject to the condition that the stock shall not be cancelled, and as though the stock so transferred were additional stock expressly issued for the purposes of the separate account in respect of which the statutory borrowing power is exercised under sub-division (3) of this Article.
- (5.) As regards stock for the discharge of which provision is required by the Act to be made within a period of one hundred years from the thirty-first day of March, One thousand nine hundred and three, the Water Board shall in

each year, after the first twenty years of that period, apply, for the purpose of providing or making up any sum which in pursuance of Article 8 will be required to be carried to the Redemption Fund Account, so much of the moneys invested and accumulated in compliance with sub-division (1) of this article as will result from the division of the total sum representing the moneys then remaining invested and accumulated by the number of years unexpired of the period of one hundred years hereinbefore mentioned.

Article 12.—The Water Board on redeeming or purchasing any stock shall forthwith pass a resolution directing the stock so redeemed or purchased to be cancelled by the registrar, and on such cancellation the same and all dividends thereon which have not already become payable shall be and the same are by virtue of the Regulations extinguished.

Extinction of stock redeemed or purchased.

Article 13.—(1.) When the Water Board, in the exercise of a statutory borrowing power, create and issue stock for the re-borrowing of money, for the purpose of redeeming stock or any other security or of substituting stock for any security transferred to or granted by the Water Board, or for stock created and issued by the Water Board (including in each case the amount of any compensation payable in respect of the transaction) the Water Board shall forthwith transfer to the Redemption Fund Account the whole or a proportionate part (as the case may require) of any money and securities forming part of any sinking fund applicable to the discharge of the security, and also such further sum, if any, as may be necessary to make the money and securities so paid and transferred equivalent to the amount which should have been in that sinking fund, or should have been paid off, in respect of the security for the redemption of which or in substitution for which the stock is created and issued ; and where the security consists of stock, the Water Board shall cause all money standing to the credit of any Redemption Fund Account in respect of that stock to stand in the proper Redemption Fund Account to the credit of the separate account in respect of the stock newly created and issued.

Payment of or substitution for existing securities.

(2.) Where the holder of the security is one of the persons described in Section 7 of the Lands Clauses Consolidation Act, 1845,* and by that Act enabled to sell land thereunder, and is not expressly or impliedly authorised by any provisions of the Act which relate to the powers of any such holder or of any trustee, he may consent to payment or redemption of the security, and may accept money for giving that consent as if he were the absolute owner of that security, and he is hereby indemnified for giving such consent, and his receipt shall be a good discharge.

* 8 & 9 Vict. c. 18,

(3.) Money received by the holder of any security as authorised by sub-division (2) of this article, and stock issued to him in redemption of or in substitution for any security, and the dividends on any such stock, shall be subject to the same trusts, rights, powers, testamentary, and other dispositions, provisions, charges, liabilities, and process as affected or applied or had effect with respect to the money secured or represented by the security and any interest or dividend thereon immediately before the redemption or substitution as aforesaid, and every deed, and every other instrument or document, and every testamentary or other disposition, and every other matter or thing herein-before mentioned shall have effect with reference to the whole, or a proportionate part of the money or stock received, or of any dividend on the said stock, as the case may be.

APPLICATION OF MONEY RAISED.

General
application
of money
from stock.

Article 14.—Money raised by stock shall be applied for purposes for which money raisable under the statutory borrowing power, in exercise whereof the stock is issued, ought by law to be applied, and not otherwise :

Provided that if, after the raising of any money by stock under the Regulations, it is found that any part of that money is not required for the purposes to which it is applicable as aforesaid, the Water Board shall carry the money to the Redemption Fund Account and to the proper separate account forming part of the Redemption Fund Account.

Temporary
investments.

Article 15.—The Water Board may, and if required by the Local Government Board shall, from time to time invest temporarily on statutory securities any sum raised by stock and not for the time being required for the purpose for which it was raised.

REGISTRATION AND CERTIFICATES.

Appointment
of Registrar.

Article 16.—(1.) The Water Board shall, on such terms and subject to such conditions and instructions not inconsistent with the Regulations as they think expedient, appoint and keep appointed an officer of the Water Board, or any other person, or the Bank of England, or any other bank, or any banking or other company, as registrar (herein-after referred to as "the registrar") for all or any of the purposes of the Regulations.

Where the Bank of England are the registrar, the Water Board and the registrar may agree to dispense with the need of compliance with any provision of the Regulations which renders the approval of the Water Board a condition precedent to any requirement of the registrar, and the Regulations shall apply and have effect subject to any such agreement.

(2.) The Water Board in relation to the Regulations and the registrar, except where the Bank of England are the registrar, shall respectively be deemed a banker within the Bankers' Books Evidence Act, 1879.*

Article 17.—(1.) The registrar shall, in relation to each class of stock, keep books (herein-after referred to as "the stock register") in which shall be entered the names and addresses of holders from time to time of stock of that class and the amounts held by them. Stock register.

(2.) The stock register shall be *prima facie* evidence of any matter entered therein in accordance with the Regulations, and of the title of the persons entered therein as holders of stock.

Article 18.—(1.) On demand of a holder of stock the Water Board may, if they think fit, give to him a certificate (herein-after referred to as a "stock certificate") of the proprietorship thereof, specifying the amount of stock to which he is entitled. Certificates of proprietorship of stock.

(2.) A stock certificate shall be *prima facie* evidence of the title of the person therein named, his executors, administrators, successors, or assigns, to the stock therein specified; but the want of a stock certificate, if the want be accounted for to the satisfaction of the Water Board, shall not prevent the holder of stock from disposing of and transferring the stock.

(3.) If a stock certificate is worn out or damaged the Water Board, on production thereof, may cancel it and give a similar stock certificate to the person in whom the property in the stock certificate and in the stock therein specified is then vested.

(4.) If a stock certificate is lost or destroyed the Water Board, on proof thereof to their satisfaction, may give a similar stock certificate to the person entitled to the certificate lost or destroyed.

(5.) An entry of the issue of a stock certificate or of a substituted stock certificate, as the case may be, shall be made in the stock register.

TRANSFER.

Article 19.—Subject to the provisions of the Regulations, and to any direction or approval of the Board in pursuance of the Regulations, every stockholder may transfer all or any part of his stock in books or by deed. Power for stockholder to transfer.

Article 20.—(1.) If and where the direction or approval of the Board makes any portion of stock transferable in books and not by deed, the provisions of this Article shall apply and have effect, but not otherwise. Transfer in books.

(2.) The registrar shall keep books (herein-after referred to as "the stock transfer books"), wherein transfers of stock so transferable shall be entered.

(3.) Every such entry shall be conceived in proper words for the purpose of transfer, and shall be signed by the person making the transfer, or, if he is absent, by his agent thereunto lawfully authorised in writing under his hand attested by a witness.

(4.) Where the Bank of England are the registrar they may, if they think fit, require that the agent be so authorised by power of attorney under the hand and seal of the person making the transfer, attested by two or more credible witnesses.

(5.) The person to whom a transfer is made, may, if he thinks fit, underwrite his acceptance thereof.

(6.) Except as otherwise provided by Act of Parliament, and subject to the provisions of the Regulations respecting any portion of stock which the direction or approval of the Board make transferable by deed and not in books, no mode of transferring stock other than that prescribed in this Article shall be good in law.

Transfer by
deed.

Article 21.—(1.) If and where the direction or approval of the Board makes any portion of stock transferable by deed and not in books, the provision of this Article shall apply and have effect, but not otherwise.

(2.) Every transfer of stock so transferable shall be by deed.

(3.) The deed of transfer shall relate only to the transfer, and shall not contain any recital, trust, power, or proviso whatsoever.

(4.) The deed of transfer when duly executed, shall be delivered to and kept by the registrar, and the registrar shall enter a memorial thereof in a book to be called the register of transfers of stock, and shall endorse on the deed of transfer a notice of that entry.

(5.) The registrar shall, after reasonable notice, and on delivery up of the old stock certificate, or on such proof that it cannot be produced, as the registrar, with the approval of the Water Board, may require, deliver to the purchaser a new stock certificate.

(6.) Until the deed of transfer has been so delivered to the registrar, the Water Board or the registrar shall not be affected thereby, and the purchaser of the stock shall not be entitled to receive any dividend thereon.

Evidence on
transfer.

Article 22.—(1.) The registrar, before allowing any transfer of stock may, if the circumstances of the case appear to him to make it expedient, require evidence of the title of any person claiming a right to make the transfer.

(2.) That evidence shall be a statutory declaration of one or more competent persons, or of such other nature as the registrar, with the approval of the Water Board, may require.

Article 23.—(1.) The registrar, with the approval of the Water Board, may, as regards any portion of stock, close the stock transfer books or the register of transfers of stock (as the case may be) on any day in the month next before that in which dividends on that portion of stock are payable, but so that the books be not at any time kept closed for more than fifteen days. Closing of transfer books.

(2.) The persons who on the day of closing in accordance with sub-division (1) of this Article are inscribed as stockholders shall, as between them and their transferees of stock, be entitled to the dividend next payable thereon.

Article 24.—Unless the Water Board have compounded for stamp duty, every deed of transfer of stock transferable by deed shall be duly stamped, and the consideration shall be truly stated therein. Stamp duty on transfers.

TRANSMISSION.

Article 25.—(1.) The interest of a deceased stockholder in stock shall be transferable by his executors or administrators, notwithstanding any specific bequest thereof. Transmission on death.

(2.) Where two or more persons are registered as owners of any stock, those persons shall be deemed to be joint owners with right of survivorship between them.

(3.) The Water Board or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will or the letters of administration to the estate of the deceased has or have been left with the registrar for registration, and may require all the executors who have proved the will to join in the transfer.

Article 26.—(1.) If the interest in any stock has become transmitted by any lawful means other than a transfer in books or by deed, or than the death of a stockholder, satisfactory evidence of the transmission shall be furnished to the registrar by a statutory declaration of one or more competent persons, or in such other manner as the registrar, with the approval of the Water Board, may require. Transmission otherwise than by death of holder or transfer in books or by deed.

(2.) The name of the person entitled under the transmission shall be entered in the stock register.

(3.) Until evidence has been furnished in accordance with sub-division (1) of this Article, the Water Board or the registrar shall not be affected by the transmission, and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(4.) In this article the expression "transmission" includes any case of apparent transmission in consequence of the change of name of the stockholder, although the actual ownership of the stock may remain unaltered.

DIVIDENDS.

Payment of
dividends.

Article 27.—The Water Board shall pay by the registrar the dividends on stock.

Dividends to
executors, &c.

Article 28.—The Water Board or the registrar shall not be required to pay any executors or administrators any dividend on stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the registrar for registration.

Evidence of
title.

Article 29.—The registrar before paying any dividend on any stock may, if the circumstances of the case appear to him to make it expedient, require evidence of the title of any person claiming a right to receive the dividend, and that evidence shall be a statutory declaration of competent persons, or of such other nature as the registrar with the approval of the Water Board may require.

Dividends to
joint holders.

Article 30.—(1.) Where more persons than one are registered as joint holders of any stock, any one of them may give an effectual receipt for any dividend thereon, unless notice to the contrary has been given to the registrar by any other of them.

(2.) Where any stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability, a letter of request for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand of the person not under disability, but the registrar before acting on the letter of request, may, if he think fit, require proof to his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons, or by such other means as the registrar may specify.

Dividend
warrants by
post.

Article 31.—(1.) Where a stockholder desires to have his dividends sent to him by post, he may make a request for that purpose to the registrar in writing, signed by him in a form approved by the Water Board, and shall give to the registrar an address in the United Kingdom, or in the Channel Islands, or the Isle of Man, to which the letters containing the warrants are from time to time to be sent.

(2.) The posting by the registrar of a letter containing a dividend warrant addressed to a stockholder at his request at the address so given by him shall, as respects the liability of the Water Board and the registrar, be equivalent to the delivery of the warrant to the stockholder himself.

(3.) Every warrant so sent by post shall be deemed a cheque, and the Water Board and the registrar shall, in relation thereto, be deemed a banker within the Bills of Exchange Act, 1882.

(4.) Provided that this Article shall not apply to cases to which the provisions of Section 4 of the National Debt Act, 1889, apply.

STOCK CERTIFICATES WITH COUPONS TO BEARER.

Article 32.—(1.) On demand of a stockholder and on delivery to the registrar of the stock certificate (if any), the registrar may issue to the stockholder a stock certificate to bearer, that is to say, a certificate of title to his stock or any part thereof, entitling the bearer to the stock therein specified, and transferable by delivery with coupons entitling the bearer of the coupons to the dividends on the stock.

Provisions
respecting
stock certi-
ficates with
coupons to
bearer.

(2.) A stock certificate to bearer shall not be issued in respect of any sum of stock other than ten pounds or a multiple of ten pounds.

(3.) No trustee shall apply for, purchase, take, or hold a stock certificate to bearer unless he is in express words authorised to do so by the instrument creating his trust, and any contravention of this provision by a trustee shall be deemed a breach of trust; but this provision shall not impose on the Water Board or the registrar an obligation to inquire or to take notice whether a person applying for or holding a stock certificate to bearer is or is not a trustee or subject the Water Board or the registrar to any liability in case of his, with or without notice, issuing to a trustee a stock certificate to bearer, or invalidate any stock certificate to bearer issued.

(4.) Where a stock certificate to bearer is outstanding the stock represented thereby shall cease to be transferable in books or by deed.

(5.) The bearer of a stock certificate to bearer may, on delivery up to the registrar of the certificate, and of all unpaid coupons belonging thereto, require to be entered in the stock register as the holder of the stock described in the certificate under which he derives title, and thereupon such stock certificate and coupons shall be cancelled and the stock shall be re-entered in the register as transferable, and shall become and again be transferable in the stock transfer books or by deed, as the case may require, and shall, as regards the mode of payment of the dividends thereon, be in the like condition as if no stock certificate to bearer had been issued in respect thereof.

(6.) The coupons issued with a stock certificate to bearer shall comprise the dividends to be paid in respect of the stock therein specified for such period as the Water Board approve.

(7.) At the end of that period fresh coupons may be issued for such further period as the Water Board approve, and so for successive periods during the continuance in force of the stock certificate, but the Water Board may direct the registrar, instead of issuing fresh coupons in respect of any stock certificate, to give in exchange a fresh stock certificate with coupons.

(8.) Payment to the bearer of a coupon of the amount expressed therein shall be a full discharge to the Water Board and to the registrar from all liability in respect of that coupon and the dividend represented thereby.

(9.) Where the Bank of England are the registrar coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the days of presentation, and at any branch establishment of the bank situate more than ten miles from the chief establishment at the expiration of five clear days from the day of presentation.

(10.) If a stock certificate to bearer or coupon is worn out or damaged, the registrar, on production and delivery up thereof, may cancel it and issue a new certificate or coupon.

(11.) If a stock certificate to bearer or coupon is lost or destroyed, the registrar may issue a new certificate or coupon on receiving indemnity to the satisfaction of the Water Board against the claims of all persons deriving title under the certificate or coupon lost or destroyed.

(12.) All coupons issued under the Regulations in respect of any stock certificate to bearer shall, for the purposes of the Acts relating to stamp duties, be deemed to have been attached to and issued with that stock certificate.

(13.) Stock specified in a stock certificate to bearer shall be charged on the same securities, and be subject to the same powers of redemption and other powers, and save as regards the mode of transfer and of payment of dividends thereon, and save so far as a stock certificate to bearer is a negotiable instrument shall be subject to the same incidents in all respects as if that stock had continued to be registered in the stock register as transferable in books or by deed.

GENERAL.

Article 33.—(1.) Stock is personal property.

(2.) Stock is not liable to foreign attachment by the custom of London or otherwise.

(3.) No notice of any trust, express, implied, or constructive, in respect of any stock, or of any stock certificate to bearer or coupon, shall be entered in the stock register, or in any other book kept by the Water Board or the registrar, or be receivable by the Water Board or the registrar, or affect the registrar or the Water Board through the registrar or otherwise.

Nature of
stock : notice
of trusts.

Article 34.—(1.) If at any time any dividend due on any stock remain unpaid for two months after demand in writing the person entitled thereto may apply to the High Court for a receiver, and the Court may, if it thinks fit, appoint a receiver on such terms as it thinks fit. Receiver.

(2.) The receiver shall have the like power as the Water Board would have, for the purpose of raising any sum required to meet a deficiency in the Water Fund, so far as it may be necessary to meet that deficiency in order to provide the moneys which ought to be carried under the Regulations to the Redemption Fund Account or the Dividends Fund Account.

(3.) The receiver shall also have such other powers and such duties, as the Court thinks fit, and shall apply all moneys raised by him, after payment of expenses and costs as the Court directs, for purposes of the regulations.

(4.) The Court may at any time discharge the receiver, and shall have full jurisdiction over him and all persons interested in his acts.

Article 35.—A person taking or holding stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Water Board, or otherwise in accordance with the Regulations, or whether or not the Water Board or any meeting thereof was properly constituted or convened, or whether or not the proceedings at any meeting of the Water Board were legal or regular, or to see to the application of any money raised by stock, or be answerable for any loss or misapplication thereof. Protection of holders of stock.

Article 36.—(1.) Once in every year, at a time appointed by the Board, the Clerk to the Water Board shall send to the Board an abstract of the accounts of the Water Board relating to stock and the Redemption Fund Account and subordinate accounts in a form prescribed by the Board. Annual return to Local Government Board.

The abstract shall be verified by a statutory declaration of an officer of the Water Board, if and as may be required by the Board, and shall be made up to such date in each year as the Board determine.

(2.) In case of wilful default by the clerk or any other officer of the Water Board in respect of any matter mentioned in sub-division (1) of this Article or in respect of any requirement of the Board in relation to any such matter, the said clerk or other officer shall on each occasion be liable to a fine not exceeding twenty pounds, and every fine under this sub-division shall be recoverable summarily on the prosecution of the Board and not otherwise.

(3.) If by any such abstract or otherwise it appears to the Board that the Water Board have failed to comply with any requisition of the Regulations, or of any Order of the Board

thereunder, in relation to any payment, application, or investment, or otherwise in relation to stock or the Redemption Fund Account, the Board may by Order require the Water Board to make good the default within a time therein limited; and if the default be in respect of any sum to be carried to the Redemption Fund Account, or the misapplication of any part of the moneys carried to that account, the Board may by Order direct that the sum in that Order mentioned, not exceeding double the amount in respect of which default has been made, shall be carried to the Redemption Fund Account and be invested and applied in like manner as required by the Regulations in regard to other sums carried to that Account.

Unclaimed
dividends.

Article 37.—(1.) If at any time any dividend on any stock is unclaimed at the time for payment thereof the same shall, nevertheless, on demand at any subsequent time whatsoever, be paid to the person showing his right thereto, but without interest in the meantime.

(2.) Where any dividend remains unclaimed for five years from the time for payment thereof the Water Board shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the address therein appearing, and so at the expiration of three other successive periods of five years.

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on stock first issued, the Water Board shall publish an advertisement in a newspaper circulating in the County of London, stating what, if any, dividends on stocks have then been unclaimed for more than four years, and the names and addresses appearing in the stock register of the persons entitled to such dividends when the same became due.

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on stock first issued the Water Board, unless it has been otherwise agreed between them and the registrar, may require the registrar to repay to them all dividends unclaimed during that period and then in his hands, and the Water Board shall cause the same or any other dividends unclaimed during that period to be carried to the Dividends Fund Account, and may deal therewith as they are by the Regulations empowered to deal with moneys carried to that account without prejudice, nevertheless, to the rights of any person to those dividends.

Unclaimed
stock.

Article 38.—(1.) If at the end of a period of ten years after the date at which the Water Board, having power to redeem any stock, decide to redeem it, the Water Board, by reason of the holder of any such stock not being forthcoming, or by reason of any doubt as to the ownership of any such stock, shall not be able to redeem the stock, the Water Board shall invest in statutory securities a sum equal to the nominal value of all such stock as cannot be redeemed by reason as

aforesaid, and thereupon the stock shall be deemed to have been extinguished.

(2.) Any sums invested by the Water Board as aforesaid shall, unless sold for the purpose of satisfying any claim in respect of the stock represented by the same, be kept invested on statutory securities for a further period of ten years, after which time the Water Board may appropriate the said sums and any accumulations thereof for such purposes as the Board approve, without prejudice, nevertheless, to the rights of any person to the said sums or any part thereof.

Article 39.—When and so often as the Water Board, after the date of the first creation of stock, act upon a power conferred on them of raising money otherwise than by stock, they shall cause to be given to each lender of money so raised notice in writing, signed by the Clerk or other authorised officer of the Water Board, and stating the effect of Article 4.

Notice of ranking of stock.

Article 40.—The Water Board may by resolution revoke at any time, in whole or in part, any resolution for creation of stock theretofore passed by the Water Board if and so far as the same has not been acted on by the issue of stock thereunder, and notice of any such revocation shall forthwith be given to the Board.

Saving for power of revocation.

Article 41.—Except as in the Regulations expressly provided, nothing in the Regulations shall relieve the Water Board from any obligation which may be imposed on them in relation to any statutory borrowing power by any Act of Parliament under or by which that power for the time being exists or is regulated.

Saving for other obligations.

Article 42.—(1.) Stock shall be deemed capital stock of a body corporate within the Forgery Act, 1861.*

Forgery.

(2.) A stock certificate to bearer and a coupon connected therewith shall be deemed a stock certificate and coupon within the Forgery Act, 1870.†

Article 43.—Any Order of the Board in pursuance of the Regulations may contain such provisions as the Board think necessary or proper for giving effect thereto, and shall, where the nature and terms of the Order and the circumstances of the case so require, be enforceable by writ of mandamus to be obtained by the Board out of the High Court, and any such Order may be from time to time cancelled or varied by the Board, as the circumstances of the case require.

Orders of the Local Government Board.

Article 44.—Where the Bank of England are the registrar, they may, with the sanction of the Water Board, from time to time issue any forms required for carrying into effect the provisions of the Regulations, and may also from time to time

Rules made by Bank of England.

* 24 & 25 Vict. c. 98.

† 33 & 34 Vict. c. 58.

make any Rules which are not inconsistent with the Regulations with respect to the following matters ; that is to say—

- (a) The period for which coupons are to be given ;
- (b) The mode in which the Bank of England are to act in issuing stock certificates to bearer, or entering in the transfer books the bearers of stock certificates to bearer ;
- (c) The mode of proving the title of or identifying any person applying for a stock receipt or stock certificate, or stock certificate to bearer ;
- (d) Anything necessary for carrying into effect such of the provisions of the Regulations as relate to or affect the Bank of England, or otherwise for the regulation of matters connected with the procedure of the Bank of England in exercise of the powers and in the discharge of the duties of the registrar.

The Bank of England may, with the sanction of the Water Board, alter, vary, or repeal any such Rules, and make other Rules instead thereof, or in addition thereto, and any such Rules for the time being in force shall be duly observed.

Fees.

Article 45.—Such fees, if any, as may from time to time be fixed by an Order made by the Board, on the application of the Water Board, may be taken by or on behalf of the Water Board, in respect of such matters as may be specified in the said Order.

Expenses.

Article 46.—Expenses of book-keeping and management and other current expenses from time to time incurred by the Water Board in the execution of the Regulations, including expenses connected with the formation, maintenance, investment, application, or management of or otherwise relating to any Redemption Fund, shall be defrayed out of the Water Fund.

Short title.

Article 47.—The Regulations may be cited as “The Metropolitan Water Stock Regulations, 1903.”

Given under the seal of office of the Local Government Board, this sixth day of July, in the year One thousand nine hundred and three.

(L.S.)

Walter H. Long,
President.

S. B. Provis,
Secretary.

MILITIA.

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|-------------------------------|--|--------------------------------------|
| 1. <i>Commissions</i> , p. 1. | | 3. <i>Discipline</i> , p. 2. |
| 2. <i>Embodiment</i> , p. 1. | | 4. <i>Quotas of Counties</i> , p. 3. |

1. Commissions.

ORDER IN COUNCIL, DATED MAY 5, 1873, PRESCRIBING FORMS
OF COMMISSIONS.

[This Order in Council is printed under the heading
"Army."]

2. Embodiment.

ROYAL WARRANT, DATED MARCH 2, 1885, AS TO PAY, &C., OF
MILITIA ON EMBODIMENT.
Victoria R.

Whereas We deem it expedient to provide for the pay,
allowances, and other matters concerning the Militia when
embodied :

Our will and pleasure is that the Militia, when drawn out
and embodied, shall be governed by the provisions contained
in Our various Warrants relating to Our regular forces, and by
the Regulations and Orders laid down for our regular forces,
so far as such Warrants, Regulations, and Orders may be
applicable to the Militia.

Given at our Court at Windsor, this 2nd day of March
1885, in the 48th year of Our Reign.

By Her Majesty's command,

Hartington.

3. Discipline.

(a) Discipline on board Ship.

ORDER IN COUNCIL, DATED FEBRUARY 6, 1882, AS TO DISCIPLINE OF TROOPS ON BOARD HER MAJESTY'S SHIPS IN COMMISSION.

[This Order in Council is printed under the heading "Navy."]

(b) Summary Punishment.

ROYAL WARRANT, DATED DECEMBER 27, 1882, AS TO THE TRIAL OF AN ALLEGED OFFENDER UNDER THE MILITIA ACT, 1882.*

Victoria R.

Whereas by an Act of Parliament entitled the Militia Act, 1882,* it is among other things enacted, that an alleged offender may be tried either by court-martial or by a court of summary jurisdiction, as may be prescribed by Orders or Regulations under that Act:

Our will and pleasure accordingly is, and we do hereby direct, that a militiaman charged with an offence under the Militia Act, 1882,* which is cognizable both by a court-martial and by a court of summary jurisdiction, shall not be tried before a court of summary jurisdiction until the sanction of the commanding officer of the said militiaman, or of an authority superior to such commanding officer, shall have been signified in writing to the Court before which the trial is to take place.

Given at Our Court at Osborne, this 27th day of December, 1882, in the 46th year of Our Reign.

By Her Majesty's command,

Hartington.

* 45 & 46 Vict. c. 49.

4. Quotas of Counties.

(a) England and Wales.

ORDER IN COUNCIL FIXING THE NUMBER OF MEN TO SERVE
THROUGHOUT ENGLAND AND WALES AS AMENDED BY
ORDER IN COUNCIL OF OCTOBER 16, 1852.*

At the Court at Buckingham Palace, the 30th day of June,
1852.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Act passed in the last session of Parliament, intituled "An Act to consolidate and amend the law relating to the Militia in England,"† it is amongst other things enacted, that it shall be lawful for Her Majesty, by and with the advice of Her Privy Council, to raise, and from time to time to keep up, any number not exceeding eighty thousand private militiamen, to serve for the several counties, ridings, and places required by the therein first recited Act to raise militia, fifty thousand of whom may be raised in the year One thousand eight hundred and fifty-two, and thirty thousand in the year One thousand eight hundred and fifty-three":

And it is thereby provided "that if it shall happen that the number of men to be raised in either of such years shall not be fully raised in the year in which the same is appointed to be raised, the number deficient may be raised as soon as may be thereafter":

And it is thereby further enacted, that "it shall be lawful for Her Majesty, with the advice of Her Privy Council, forthwith, after the passing of the said Act, and afterwards, from time to time, as occasion may appear to Her Majesty to require, to ascertain and fix the number of militia-men who shall, until other quotas shall be fixed in like manner, serve for each county, riding, and place, and the numbers so fixed as aforesaid shall be transmitted to the respective lieutenants of the said counties, ridings, and places from time to time, and notice of the same shall be published in the 'London Gazette,' and the numbers so from time to time appointed by Her Majesty shall be the quotas of the several counties, ridings, and places until other quotas are appointed in like manner."

* The amending Order in Council is printed at length in Statutory Rules and Orders Revised (1st Edition), Vol. 4, p. 1213.

† 15 & 16 Vict. c. 50. ; repealed in part by the Militia Act, 1882 (45 & 46 Vict. c. 42.), but as to these Orders in Council see section 54 (5) of that Act.

Now, therefore, Her Majesty, with the advice of Her Privy Council, is pleased to ascertain and fix the number of militia-men who shall, until other quotas shall be fixed in like manner, serve for each county, riding, and place, according to the several numbers specified in the schedule hereunto annexed, and amounting in the whole to 80,000 men, and which said schedule Her Majesty is pleased to direct shall be taken as part of this Order, and that this Order, with the schedule thereunto annexed, be published in the "London Gazette,"* and be transmitted to the respective lieutenants of the said counties, ridings, and places, in order that they should proceed upon the same in pursuance of the directions of the said Act of Parliament.

Wm. L. Bathurst.

Schedule above referred to.

Quotas of Militia Men to be raised in the several Counties, Ridings, and places in England and Wales.

	Number to be raised in 1852.	Number to be raised in 1853.	Total Number to be raised.
ENGLAND.			
Bedford - - - - -	345	210	555
Berks - - - - -	483	295	777
Bucks - - - - -	466	283	749
Cambridge - - - - -	520	316	836
Chester - - - - -	1,275	774	2,049
Cornwall, exclusive of the Stannaries - -	757	460	1,217
The Stannaries - - - - -	225	137	362
Cumberland - - - - -	545	331	876
Derby - - - - -	851	516	1,367
Devon, exclusive of the Stannaries - -	1,473	894	2,367
The Stannaries (<i>see</i> Cornwall) - - -			
Dorset - - - - -	506	308	814
Durham - - - - -	1,096	666	1,762
Essex - - - - -	1,049	637	1,686
Gloucester - - - - -	1,240	753	1,993
Hereford - - - - -	335	203	538
Hertford - - - - -	477	289	766
Huntingdon - - - - -	184	112	296
Kent - - - - -	1,618	982	2,600
Lancaster - - - - -	5,628	3,418	9,046
Leicester - - - - -	650	395	1,045
Lincoln - - - - -	1,174	712	1,886
Middlesex, exclusive of the City of London and Tower Hamlets.	3,197	1,942	5,139
City of London - - - - -	600†	—	600
Tower Hamlets - - - - -	1,442	876	2,318
Monmouth - - - - -	467	283	750
Norfolk - - - - -	1,224	744	1,968
Northampton - - - - -	606	368	974

* This Order was gazetted July 9th, 1852.

† The Militia (City of London) Act, 1820 (1 Geo. IV. c. 100).

Quotas of Counties.

5

—	Number to be raised in 1852.	Number to be raised in 1853.	Total Number to be raised.
ENGLAND—cont.			
Northumberland	834	506	1,340
Nottingham	761	462	1,223
Oxford	481	292	773
Rutland	68	41	109
Salop	658	400	1,058
Somerset	1,211	735	1,946
Southampton	1,080	656	1,736
Stafford	1,784	1,083	2,867
Suffolk	949	577	1,526
Surrey	1,852	1,125	2,977
Sussex	945	573	1,518
Warwick	1,336	812	2,148
Westmorland	167	102	269
Wilts	725	441	1,166
Worcester	789	478	1,267
York, East Riding	608	369	977
York, North Riding	608*	368*	976*
York, West Riding, and City	3,885*	2,361*	6,246*
WALES.			
Anglesey	159	97	256
Brecon	178	108	286
Cardigan	187	114	301
Carmarthen	302	184	486
Carnarvon	241	147	388
Denbigh	269	163	432
Flint	197	119	316
Glamorgan	676	410	1,086
Merioneth	110	66	176
Montgomery	194	118	312
Pembroke	239	145	384
Radnor	74	45	119
Total	50,000	30,000	80,000

(b) Scotland.

ORDER IN COUNCIL FIXING THE NUMBER OF MEN TO SERVE THROUGHOUT SCOTLAND.

At the Court at Buckingham Palace the 13th day of September,
1854.

PRESENT :

The Queen's Most Excellent Majesty in Council.

Whereas by an Act passed in the last session of Parliament,
intituled "An Act for amending the Laws relating to the

* These figures are here printed as altered by the Order in Council of
October 16, 1852.

Militia, and raising a Volunteer Militia force in Scotland,"* it is amongst other things enacted, "and in regard to the
 " raising of men for the militia, it shall be lawful for Her
 " Majesty, by and with the advice of Her Privy Council, to
 " raise, and from time to time to keep up any number not
 " exceeding ten thousand private militia-men to serve for the
 " several counties in Scotland;" and it is thereby further
 enacted that "it shall be lawful for Her Majesty, with the
 " advice of Her Privy Council, forthwith after the passing of
 " this Act, and afterwards from time to time as occasion may
 " appear to Her Majesty to require, to ascertain and fix the
 " number of militia-men who shall serve for each county; and
 " the numbers so fixed as aforesaid shall be transmitted to
 " the respective lieutenants of the said counties from time to
 " time, and notice of the same shall be published in the
 " 'Edinburgh Gazette'; and the numbers so from time to
 " time appointed by Her Majesty shall be the quotas of the
 " several counties and places until other quotas are appointed
 " in like manner."

Now, therefore, Her Majesty, with the advice of Her Privy Council, is pleased to ascertain and fix that the number of militia-men who shall serve for each county in Scotland shall be the number specified in the schedule hereunto annexed, such numbers amounting in the whole to ten thousand men; and which schedule Her Majesty is pleased to direct shall be taken as part of this Order, and that this Order, with the schedule thereunto annexed, be published in the "Edinburgh Gazette,"† and be transmitted to the respective lieutenants of the said counties, in order that they may proceed upon the same in pursuance of the directions of the said Act of Parliament: and the numbers so appointed by Her Majesty shall be the quotas of the several counties and places until other quotas are appointed in like manner.

C. C. Greville.

* The Militia (Scotland) Act, 1854 (17 & 18 Vict. c. 106.). Sections 26 and 27 of this Act were repealed by the Militia (Voluntary Enlistment) Act, 1875 (38 & 39 Vict. c. 69), which was repealed by the Militia Act, 1882 (45 & 46 Vict. c. 49); but as to these Orders in Council *see* Section 19 of the Act of 1875 and Section 54 (5) of that of 1882.

† This Order was published in the "Edinburgh Gazette," October 10, 1854.

Militia, Scotland :—Quotas.

7

Schedule above referred to.

Quotas of Militia-Men to be raised in the several Counties, &c. in Scotland.

County, &c.	Number of Militia-Men for the 10,000 Levy.	County, &c.	Number of Militia-Men for the 10,000 Levy.
Aberdeen - - -	741	Kincardine - - -	127
Argyll - - -	326	Kinross - - -	32
Ayr - - -	691	Kirkcudbright - - -	151
Banff - - -	190	Lanark - - -	1,911
Berwick - - -	130	Linlithgow - - -	113
Bute - - -	55	Nairn - - -	34
Caithness - - -	136	Peebles - - -	40
Clackmannan - - -	85	Perth - - -	495
Dumbarton - - -	167	Renfrew - - -	560
Dumfries - - -	278	Ross and Cromarty * - - -	290
Edinburgh (county) - - -	657	Roxburgh - - -	189
Do. (city) - - -	221	Selkirk - - -	36
Elgin - - -	135	Stirling - - -	315
Fife - - -	542	Sutherland - - -	89
Forfar - - -	649	Wigtown - - -	150
Haddington - - -	132		
Inverness - - -	333	Total - - -	10,000

* By Order in Council of October 18, 1854, printed in Statutory Rules and Orders Revised (1st Edition), Vol. 8, at p. 256, separate quotas ("278" and "12") were fixed for these two counties, but by s. 39 of the Local Government (Scotland) Act, 1889 (52 and 53 Vict. c. 50), the two counties were united under the name of "Ross and Cromarty."

MINES.

Coal Mines.

THE EXPLOSIVES IN COAL MINES ORDER OF THE 20TH DECEMBER, 1902, AS AMENDED BY THE ORDERS OF THE 24TH APRIL, 1903,* 5TH SEPTEMBER, 1903, AND 10TH DECEMBER, 1903.

1902. No. 916, *as amended by* 1903, Nos. 335,
729, AND 1067.

Whereas by Section 6 of the Coal Mines Regulation Act, 1896,† it is enacted that a Secretary of State, on being satisfied that any explosive is, or is likely to become dangerous, may by Order prohibit the use thereof in any mine or in any class of mines either absolutely or subject to conditions:

I hereby, in pursuance of the power conferred on me by the aforesaid section, make the following Order:—

1.—(1.) In all coal mines in which inflammable gas has been found within the previous three months in such quantity as to be indicative of danger, the use of any explosive, other than a permitted explosive as herein-after defined, is absolutely prohibited in the seam or seams in which the gas has been found.

Absolute prohibition of certain explosives in unsafe mines.

(2.) In all coal mines which are not naturally wet throughout, the use of any explosive, other than a permitted explosive as herein-after defined, is absolutely prohibited in all roads, and in every dry and dusty part of the mine.

2. In all such coal mines or parts thereof as aforesaid, the use of permitted explosives is prohibited unless the following conditions are observed:—

Conditional prohibition of other explosives in unsafe mines.

- (a) Every charge of the explosive shall be placed in a drilled shot hole and shall have sufficient stemming;
- (b) Every charge shall be fired by an efficient electrical apparatus or by some other means equally secure against the ignition of inflammable gas or coal dust:
- (c) Every charge shall be fired by a competent person appointed in writing for this duty by the owner, agent, or manager of the mine, and not being a person whose wages depend on the amount of mineral to be gotten:
- (d) Each explosive shall be used in the manner and subject to the conditions prescribed in the schedule hereto;

* The Amending Orders are printed at length in Statutory Rules and Orders, 1903, at pp. 1154, 1159, 1161.

† 59 & 60 Vict. c. 43.

Provided that nothing in this Order shall prohibit the use of a safety fuse in any mine in which inflammable gas has not been found within the previous three months in such quantity as to be indicative of danger.

Conditional
prohibition
of all explo-
sives in main
roads.

3. In every coal mine the use of any explosive is prohibited in the main haulage roads and in the intakes unless all workmen have been removed from the seam in which the shot is to be fired, and from all seams communicating with the shaft on the same level, except the men engaged in firing the shot, and in addition such other persons, not exceeding ten in number, as are necessarily employed in attending to the ventilating furnaces, steam boilers, engines, machinery, winding apparatus, signals, or horses, or in inspecting the mine; or unless a permitted explosive is used under the conditions prescribed in Section 2 of this Order, and unless every part of the roof, floor, and sides of the main haulage road or intake, within a distance of 20 yards from the place where it is used, is, at the time of firing, thoroughly wet, either naturally or from the application of water thereto.

This section shall not apply to such portions of the main haulage roads and intakes as are within 100 yards of the coal face.

This section shall not authorise the use of any explosive in any case where the use of such explosive is prohibited by Sections 1 or 2 of this Order.

Conditional
prohibition
of detonators.

4. No detonator shall be used in any mine unless the following conditions are observed:—

- (a) Detonators shall be under the control of the owner, agent, or manager of the mine, or some person specially appointed in writing by the owner, agent, or manager for the purpose, and shall be issued only to shot firers or other persons specially authorised by the owner, agent, or manager, in writing.
- (b) Shot firers and other authorised persons shall keep all detonators issued to them until about to be used in a securely locked case or box separate from any other explosive.

Application
of Order.

5. Sections 1, 2, and 3 of this Order shall not apply to mines of clay, or stratified or nodular ironstone, nor shall they apply to shafts in course of being sunk from the surface, or deepened, or to drifts and other outlets being driven from the surface, if such shafts, drifts, or outlets are not ventilated by return air.

Where a mine contains several separate seams this Order shall apply to each seam as if it were a separate mine.

Definitions.

6. In this Order the term "permitted explosives" means such explosives as are named and defined in the schedule hereto: provided that where the composition, quality, or

character of any explosive is defined in such schedule, any article alleged to be such explosive which differs therefrom in composition, quality, or character, whether by reason of deterioration or otherwise, shall not be deemed to be the explosive so defined; provided further that an owner, agent, or manager shall not be responsible for the composition, quality, or character of an explosive, if he shows that he has in good faith obtained a written certificate from the maker of the explosive that it complies with the terms of the schedule, and that he has taken all reasonable means to prevent deterioration of the explosive while stored.

The term "road" includes all roads of any description extending from the shaft or outlet to within 10 yards of the coal face.

The term "main haulage road" means a road which has been, or for the time being is, in use for moving trams by gravity or by steam or other mechanical power.

7. This Order shall come into force on the 1st day of January, 1903, from which date all previous Orders relating to the use of explosives in mines made in pursuance of Section 6 of the Coal Mines Regulation Act, 1896,* are revoked.

8. So much of the schedule as relates to the explosive named "Special Bulldog" shall be in force only till the 1st March, 1903, and after that date the Order and schedule shall have effect as if that explosive were omitted from the list of permitted explosives.†

9. This Order may be cited as the Explosives in Coal Mines Order of the 20th December, 1902.

A. Akers-Douglas,

One of His Majesty's Principal
Secretaries of State.

Home Office,
20th December, 1902.

* 59 & 60 Vict. c. 43.

† The portion of the schedule referred to is omitted in this reprint.

SCHEDULE.

List of Permitted Explosives.

Albionite, consisting of the following mixture :—

		Parts by Weight.			
		Not more than	Not less than	Not more than	Not less than
A mixture of	Nitro-glycerine . . .	83	80½	86	84
	Nitro-cotton . . .	7	5		
	Nitrate of potassium . . .	10½	8½		
	Wood-meal . . .	3	2		
	Chalk . . .	½	—	16	14
	Oxalate of ammonia . . .	—	—		

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.* the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr.
- (4) That the explosive is in all respects similar to the sample submitted to test on the 23rd day of January, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner packet shall be clearly marked with the words "Permitted Explosives, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

Coal Mines :—Explosives.

5

* *Ammonal*, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	97	93
Metallic aluminium	6	4
Moisture	1	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of paper and tin-foil thoroughly waterproof ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Messrs. Roth, at Felixdorf, in Austria ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 16th day of November, 1903 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,† and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Ammonite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	89	87
Di-nitro-naphthalene	13	11
Moisture	$\frac{1}{2}$	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of lead and tin alloy thoroughly waterproofed with pure paraffin wax ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 $\frac{1}{2}$ (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of

* This part of the schedule was added by the Order of December, 1903.

† 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

one containing 19 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);

- (3) That the explosive has been made at the works of the Miners' Safety Explosives Company, Limited, at Stanford-le-Hope, in the county of Essex;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 15th day of June, 1900; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 $\frac{1}{4}$ detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients;
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Amvis, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium -	91	88
Wood-meal -	6	4
Moisture -	$\frac{1}{2}$	—
Di-nitro-benzol	6	4
Chlorinated naphthalene } -		

the chlorine not to exceed 1 per cent. by weight of the finished explosive.

Provided :—

- (1) That the explosive shall be used only when contained in a case of thin paper thoroughly waterproofed with a mixture of carnauba and paraffin waxes;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the Roburite Explosives Company, Limited, at Gathurst, near Wigan, in the county of Lancashire;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 14th day of May, 1902;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Aphosite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	62	58
Nitrate of potassium	31	28
Charcoal	4½	3½
Wood-meal	4½	3½
Sulphur	3	2
Moisture	1½	—

Provided :—

- (1) That if the explosive has been compressed into a pellet, the density shall not exceed 1·25 ;
- (2) That the explosive shall be used only, when in pellet form, in a wrapper of thin paraffined paper ; when granulated, in a case of stout paper thoroughly waterproofed with ceresine and paraffin ;
- (3) That the explosive, when in pellet form, shall be used with an electric fuze containing 5 grains of gunpowder, or with other means equally efficient in igniting the explosive, and that, when granulated, the explosive shall be used with the methods of ignition specified above or with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (4) That the explosive has been made at the works of the Nitrate Explosives Company, Limited, at Gatebeck, near Kendal, in the county of Westmoreland ;
- (5) That the explosive is similar in all respects to one or other of the samples submitted to test on the 23rd day of October, 1900, on the 20th day of December, 1900, or on the 1st day of March, 1901 ; and
- (6) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive," and also with the name of the explosive, the name of the manufacturer, the date and place of the manufacture, and the nature and proportion of the ingredients.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

Arkite, consisting of the following :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	54	51
Nitro-cotton	4	3
Nitrate of potassium	23	21
Wood-meal	8	6
Chalk	$\frac{1}{2}$	—
Oxalate of ammonium	16	14

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of vegetable parchment ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Kynoch, Limited, Kynochtown, near Stanford-le-Hope, in the county of Essex, or at Ferrybank, Arklow, in the county of Wicklow ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 20th day of January, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Bellite, No. 1, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	85	82
Di-nitro-benzol	18	15
Moisture	$\frac{1}{2}$	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of linen paper thoroughly waterproofed with a mixture of carnauba and paraffin waxes ;

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the Lancashire Explosives Company, Limited, at Withnell, in the county of Lancashire;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 25th and 26th days of June, 1901; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Bellite, No. 3, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	95	92
Di-nitro-benzol	8	5
Moisture	2	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of linen paper thoroughly waterproofed with a mixture of carnauba and paraffin waxes;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the Lancashire Explosive Company, Limited, at Withnell, in the county of Lancashire;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 25th day of June, 1901; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

* *Bobbinite* (1st definition), consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of potassium - - - - -	65	62
Charcoal - - - - -	19½	17
Sulphur - - - - -	2½	1½
Sulphate of ammonium - - - - -	17	13
Sulphate of copper - - - - -	2½	—
Moisture - - - - -	—	—

the sulphate of ammonium not to exceed 11 per cent. by weight of the finished explosive.

* *Bobbinite* (2nd definition) consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of potassium - - - - -	66	63
Charcoal - - - - -	20½	18½
Sulphur - - - - -	2½	1½
Rice or maize starch - - - - -	9	7
Paraffin wax - - - - -	3½	2½
Moisture - - - - -	3	—

Provided :—

- (1) That the explosive shall be used only when :—
 - (a) each pellet is thoroughly coated with paraffin wax of a melting point of not less than 120° F., or
 - (b) each pellet is contained in a wrapper of brown paper similar in all respects to that in which it was submitted to test on the 29th day of October, 1902 ;
- (2) That the explosive has been compressed into a pellet of a density not exceeding :—
 - (a) 1.42 if manufactured according to the 1st definition.
 - (b) 1.48 if manufactured according to the 2nd definition.
- (3) That the explosive shall be used only with an electric fuze containing 5 grains of gunpowder or with other means equally efficient in igniting the explosive, but not with a detonator or electric detonator ;
- (4) That the explosive has been made at the Home, Marsh, or Oare Works of Messrs. Curtis's & Harvey, Limited, at Faversham, in the county of Kent, or at their works at Roslin, in the county of Edinburgh, or at their works at Glyn Neath, in the county of Glamorgan ;
- (5) That the explosive is in all respects similar to one or other of the samples submitted to test on the 29th day of October, 1902, on

* This part of the schedule was substituted for the previous definition of similar explosives by Order of December, 1903.

the 6th day of February, 1903, on the 12th day of February, 1903, or on the 11th day of September, 1903 ;

- (6) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, not to be used with a denotator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Britonite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	27	25
Nitrate of potassium	34	31
Wood-meal	43	39
Carbonate of sodium	$\frac{1}{2}$	—

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the British Explosives Syndicate, Limited, at Pitsea, in the county of Essex ;
- (4) That the explosive is in all respects similar to the sample submitted to the test on the 27th of March, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

* 38 & 39 Vict. c. 17: The Orders under that Act are printed under the title "Explosive Substance."

Cambrite, consisting of the following mixture :—

		Parts by Weight.			
		Not more than	Not less than	Not more than	Not less than
A mixture of	Nitro-glycerine . . .	27	25	100	92
	Nitrate of barium . . .	4 $\frac{1}{2}$	3 $\frac{1}{2}$		
	Nitrate of potassium . . .	32	28		
	Wood-meal . . .	42	39		
	Sulphuretted benzol . . .	$\frac{1}{2}$	—	8	—
	Carbonate of sodium . . .	$\frac{1}{2}$	—		
	Carbonate of calcium . . .	$\frac{1}{2}$	—		
	Oxalate of ammonia . . .	—	—		

the wood-meal to contain not more than 20 per cent. and not less than 10 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess a detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 4th day of September, 1900 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Carbonite, consisting of the following mixture :

		Parts by Weight.	
		Not more than	Not less than
Nitro-glycerine		27	25
Nitrate of barium		36	30
Nitrate of potassium		42	39
Wood-meal		$\frac{1}{2}$	—
Sulphuretted benzol		$\frac{1}{2}$	—
Carbonate of sodium		$\frac{1}{2}$	—
Carbonat of calciume		$\frac{1}{2}$	—

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

the wood-meal to contain not more than 20 per cent. and not less than 10 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Carbonite Syndicate Limited, at Schlebusch, in Germany ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 18th day of June, 1900 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Clydite, consisting of the following mixture :—

		Parts by Weight.			
		Not more than	Not less than	Not more than	Not less than
A mixture of	Nitro-glycerine . . .	27	25	100	92
	Nitrate of barium . . .	36	32		
	Wood-meal . . .	41½	38½		
	Sulphuretted benzol . . .	½	—		
	Carbonate of sodium } . . .	½	—	8	—
	Carbonate of calcium } . . .	—	—		
	Oxalate of ammonium . . .	—	—		

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;

* 38 & 39 Vict. c. 17 : the Orders under that Act are printed under the title "Explosive Substances."

- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 21st day of August, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosives, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

† *Coronite*, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	40	38
Nitro-cotton	1½	1
Nitrate of ammonium	28	26
Nitrate of potassium	5	3
Stearate of aluminium	14	11
Rye flour	11	8
Wood-meal	4	2
Liquid hydro-carbon of the paraffin series	4	2
Moisture	2½	—

the wood-meal and rye-flour not to contain more than 15 per cent. and not less than 5 per cent. by weight of moisture.

The hydro-carbon to have a flash-point of not less than 200° Fahrenheit.

The stearate of aluminium to be free from mineral acid.

Provided :—

- (1) That the explosive shall be used only when contained in a water-proof paper wrapper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Westphalia Anhalt Explosives Company at Halteen and Reinsdorf ;
- (4) That the explosive is similar in all respects to the sample submitted to test on the 5th day of February, 1903 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be

* 88 & 89 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

† This part of the Schedule was added by the Order of April, 1903.

clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and

- (6)¹ That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Dahmenite, A, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	93½	91½
Naphthalene	6½	4
Bichromate of potassium	2½	1½
Moisture	1	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of paper thoroughly waterproofed with ceresine and resin ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of De Gezamenlijke Buskruidmakers van Noord-Holland, Utrecht en Zeeland ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 23rd day of April, 1902 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Dragonite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	37	34
Nitro-cotton	3	2
Nitrate of potassium	46	43
Vaseline	6	5
Wood-meal	13½	11
Charcoal		

the wood-meal and charcoal together to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substances."

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Messrs. Curtis's and Harvey, Limited, at Cliffe, in the county of Kent ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 17th day of September, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 denotator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Electronite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	75	71
Nitrate of barium	20	18
Wood-meal	10	7
Starch	$\frac{1}{2}$	—
Moisture		

the wood-meal to be slightly charred.

Provided :—

- (1) That the explosive shall be used only when contained in a case of lead thoroughly waterproofed ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Messrs. Curtis's and Harvey, Limited, at Tonbridge, in the county of Kent, or at Glenlean, near Dunoon, in the county of Argyll ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 14th day of December, 1899 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

* *Faversham Powder* (1st definition), consisting of the following mixture:—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - -	86	84
Tri-nitro-toluol - - - -	12	10
Chloride of ammonium - - - -	2	1
Chloride of sodium - - - -	3	2
Moisture - - - -	$\frac{1}{2}$	—

* *Faversham Powder* (2nd definition), consisting of the following mixture:—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - -	93	87
Tri-nitro-toluol - - - -	11	9
Moisture - - - -	1	—

Provided:—

- (1) That the explosive shall be used only when contained in a case of an alloy of lead, tin, zinc, and antimony, thoroughly water-proofed;
- (2) That the explosive shall be used only with a detonator or electric detonator, of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the Cotton Powder Company, Limited, at Uplees Marshes, near Faversham, in the county of Kent, or at their works near Melling, in the county of Lancaster;
- (4) That the explosive is similar in all respects to one or other of the samples submitted to test on the 24th day of April, 1901, or on the 6th day of November, 1903; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,† and in force for the time being, such outer

* This part of the Schedule was substituted for the previous definition of similar explosives, by the Order of December, 1903.

† 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substances."

package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature of the proportion of the ingredients.

Fracurite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	53½	51½
Nitro-cotton	4	3
Potassium nitrate	25	21
Wood-meal	7	5
Ammonium oxalate	16	14

the wood-meal to contain not more than 17 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of, 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the British Explosives Syndicate, Limited, at Pitsea, in the county of Essex ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 31st July, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substances."

* *Geloxite*, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	64	54
Nitro-cotton	5	4
Potassium nitrate	22	13
Wood-meal	7	4
Ammonium oxalate	15	12
Red ochre	1	—

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Cotton Powder Company, Limited, at Uplees Marshes, near Faversham, in the county of Kent, or at their works near Melling, in the county of Lancashire ;
- (4) That the explosive is in all respects similar to one or other of the samples submitted to test on the 26th day of May, 1902, or on the 15th day of September, 1903 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,† and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Haylite, No. 1, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	27	25
Nitro-cotton	1½	½
Wood-meal	14	12
Nitrate of potassium	21	19
Nitrate of barium	21	19
Mineral jelly (free from acid)	8	6
Oxalate of ammonium	12	10

* This part of the Schedule was substituted for the previous definition of similar explosives by the Order of December, 1903.

† 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substances."

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the National Explosives Company, Limited, at Upton Towns, Gwythian, in the county of Cornwall ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 21st day of November, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Kynite, consisting of the following mixture :

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	27	25
Nitrate of barium	36	30
Wood-meal	42	39
Chalk	$\frac{1}{2}$	—

the wood-meal to contain not more than 20 per cent. and not less than 10 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of vegetable parchment ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Kynoch Limited, at Kynochtown, near Stanford-le-Hope, in the county of Essex, or at Ferrybank, Arklow, in the county of Wicklow ;

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

- (4) That the explosive is in all respects similar to the sample submitted to test on the 18th day of January, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

† *Negro Powder*, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - - -	90·0	86
Tri-nitro-toluol - - - - -	11·0	9
Graphite - - - - -	3·0	1
Colouring matter - - - - -	0·1	—
Moisture - - - - -	1·0	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of thin paper thoroughly waterproofed with a mixture of carnauba and paraffin waxes ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Roburite Explosives Company, Limited, at Gathurst, near Wigan, in the county of Lancaster ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 23rd of April, 1903 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives," and, further, that each inner package shall be clearly marked with the words "Permitted Explosive to be used with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

* 28 & 29 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

† This part of the Schedule was added by the Order of September, 1903.

Nobel Ardeer Powder, consisting of the following mixture :

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine - - - - -	34	31
Kieselguhr - - - - -	14	11
Sulphate of magnesium - - - - -	51	47
Nitrate of potassium - - - - -	6	4
Carbonate of ammonium - - - - -	$\frac{1}{2}$	—
Carbonate of calcium - - - - -	$\frac{1}{2}$	—

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 3 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 8 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Nobel's Explosive Company, Limited, at Ardeer, in the county of Ayr ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 12th January, 1900 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 3 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Nobel Carbonite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine - - - - -	27	25
Nitrate of barium - - - - -	$4\frac{1}{2}$	$3\frac{1}{2}$
Nitrate of potassium - - - - -	32	28
Wood-meal - - - - -	42	39
Sulphuretted benzol - - - - -	$\frac{1}{2}$	—
Carbonate of sodium - - - - -	$\frac{1}{2}$	—
Carbonate of calcium - - - - -	$\frac{1}{2}$	—

the wood-meal to contain not more than 20 per cent. and not less than 10 per cent. by weight of moisture.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition, consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 23rd day of January, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Normanite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine - - - - -	84½	32½
Nitro-cotton - - - - -	2	1
Potassium nitrate - - - - -	46½	42½
Wood-meal - - - - -	9	7
Charcoal - - - - -	2	1
Ammonium oxalate - - - - -	12	10

the wood-meal and charcoal together to contain not more than 20 per cent. and not less than 10 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Cotton Powder Company, Limited, at Uplees Marshes, near Faversham, in the county of Kent, or at their works near Melling, in the county of Lancashire ;

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

- (4) That the explosive is in all respects similar to the sample submitted to test on the 11th August, 1902 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosives, to be used with not less than No. 6 detonator," and also with the name of the explosive, and the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) The explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Pit-ite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine - - - - -	27	25
Nitrate of barium - - - - -	35	31
Wood-meal - - - - -	43	40
Carbonate of sodium - - - - -	‡	—
Carbonate of calcium - - - - -		

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the New Explosives Company, Limited, at Stowmarket, in the county of Suffolk ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 1st day of May, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

* 38 & 39 Vict. c. 17 : the Orders under that Act are printed under the title "Explosive Substance."

Roburite No. 3, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium	89	86
Di-nitro-benzol	13	9
Chloro-naphthalene	2	—
Moisture	$\frac{1}{2}$	—

the chloro-naphthalene to contain not more than one part of chlorine.

Provided :—

- (1) That the explosive shall be used only when contained in a case of thin paper thoroughly waterproofed with a mixture of carnauba and paraffin waxes ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the Roburite Explosives Company, Limited, at Gathurst, near Wigan, in the County of Lancashire ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 14th day of May, 1902 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Saxonite, consisting of the following mixture :—

		Parts by Weight.			
		Not more than	Not less than	Not more than	Not less than
A mixture of	Nitro-glycerine	68	58	91	73
	Nitro-cotton	5½	3½		
	Nitrate of potassium	30½	21½		
	Wood-meal	8½	5		
	Chalk	½	—	27	9
	Oxalate of ammonium	—	—		

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr;
- (4) That the explosive is in all respects similar to one or other of the samples submitted to test on the 4th day of September, on the 16th day of October, on the 4th day of December, 1900, on the 14th day of May, 1901, or on the 3rd day of April, 1902;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

† *Special Bulldog*.

Stow-ite, consisting of the following mixture:—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine	61	58
Nitro-cotton	5	4½
Nitrate of potassium	20	18
Wood-meal	7	6
Oxalate of ammonium	13	11

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided:—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the New Explosives Company, Limited, at Stowmarket, in the county of Suffolk;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 20th day of June, 1901;

* 28 & 29 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

† This part of the Schedule ceased to be in force after March, 1903, see Article 8 of the Order, and is therefore omitted.

- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Thunderite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - -	93	91
Tri-nitro-toluol - - - -	5	3
Flour - - - -	5	3
Moisture - - - -	1	—

Provided :—

- (1) That the explosive shall be used only when contained in a case of stout paper thoroughly waterproofed with ceresine;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 8 (i.e., the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 30.9 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium);
- (3) That the explosive has been made at the works of the Carbonite Syndicate, Limited, at Schlebusch, in Germany.
- (4) That the explosive is similar in all respects to the sample submitted to test on the 9th day of January, 1901; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 8 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Victorite, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitro-glycerine - - - -	27	25
Nitrate of barium - - - -	36	32
Wood-meal - - - -	41½	38½
Sulphuretted benzol - - - -	½	—
Carbonate of sodium - - - -	½	—
Carbonate of calcium - - - -	½	—

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substances."

the wood-meal to contain not more than 15 per cent. and not less than 5 per cent. by weight of moisture.

Provided :—

- (1) That the explosive shall be used only when contained in a non-waterproofed wrapper of parchment paper ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 6 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 15 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of Nobel's Explosives Company, Limited, at Ardeer, in the county of Ayr ;
- (4) That the explosive is in all respects similar to the sample submitted to test on the 20th day of August, 1901 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 6 detonator," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportions of the ingredients ; and
- (6) That the explosive, if in a frozen condition, shall be thoroughly thawed in a safe and suitable manner before use.

Virite, consisting of the following mixture :—

					Parts by Weight.	
					Not more than	Not less than
Oxalate of ammonium	-	-	-	-	12	9
Nitrate of ammonium	-	-	-	-	40	35
Nitrate of potassium	-	-	-	-	38	33
Sulphur	-	-	-	-	5	4
Charcoal	-	-	-	-	12½	10½
Moisture	-	-	-	-	2	1

Provided :—

- (1) That the explosive shall be used only in a case of stout paper thoroughly waterproofed with ceresine and paraffin ;
- (2) That the explosive shall be used only with an electric fuze containing 5 grains of gunpowder, or with other means equally efficient in igniting the explosive ;
- (3) That the explosive has been made at the works of the Nitrate Explosives Company, Limited, at Gatebeck, near Kendal, in the county of Westmorland ;
- (4) That the explosives is similar in all respects to the sample submitted to test on the 28th day of February, 1901 ; and
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title "Explosive Substance."

shall bear the words "As defined in the List of Permitted Explosives"; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive," and also with the name of the explosive, the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

* *Westfalite No. 1*, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - - -	96	94
Resin - - - - -	6	4
Moisture - - - - -	$\frac{1}{2}$	—

Provided :—

- (1) That the explosive shall be used only in :—
 - (a) a wrapper of stout paper thoroughly waterproofed with paraffin wax ; or
 - (b) a case made of an alloy of lead and tin waterproofed with paraffin wax ; or
 - (c) a non-waterproofed wrapper of paper, the outer waterproofed paper having been previously removed ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the British and Colonial Colliery Supply Association, Limited, at Denaby, in the county of Yorkshire ;
- (4) That the explosive is in all respects similar to one or other of the explosives submitted to test on the 15th day of August, 1901, or the 13th day of August, 1902, or the 29th day of January, 1903 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875†, and in force for the time being, such outer package shall bear the words "As defined in the List of Permitted Explosives" ; and, further, that each inner package shall be clearly marked with the words "Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

Westfalite No. 2, consisting of the following mixture :—

	Parts by Weight.	
	Not more than	Not less than
Nitrate of ammonium - - - - -	92	90
Nitrate of potassium - - - - -	5	3
Resin - - - - -	6	4
Moisture - - - - -	$\frac{1}{2}$	—

* This part of the Schedule was substituted for the previous definition of similar explosives by the Order of April, 1903.

† 38 & 39 Vict. c. 17 : the Orders under that Act are printed under the title "Explosive Substances."

Provided :—

- (1) That the explosive shall be used only when contained in :—
 - (a) a wrapper of stout paper thoroughly waterproofed with paraffin wax ; or
 - (b) a case made of an alloy of lead and tin waterproofed with paraffin wax ; or
 - (c) a non-waterproofed wrapper of paper, the outer waterproofed paper having been previously removed ;
- (2) That the explosive shall be used only with a detonator or electric detonator of not less strength than that known as No. 7 (*i.e.*, the detonator or electric detonator to be used shall possess an effective detonative strength as great as, or greater than, that of one containing 23 grains of a composition, consisting in every 100 parts by weight of 80 parts of fulminate of mercury and 20 parts of chlorate of potassium) ;
- (3) That the explosive has been made at the works of the British and Colonial Colliery Supply Association, Limited, at Denaby, in the county of Yorkshire ;
- (4) That the explosive is in all respects similar to one or other of the samples submitted to test on the 16th day of August, 1901, or the 30th day of January, 1903, or the 24th day of March, 1903 ;
- (5) That in addition to the marking on the outer package required by an Order of the Secretary of State, made under the Explosives Act, 1875,* and in force for the time being, such outer package shall bear the words " As defined in the List of Permitted Explosives " ; and, further, that each inner package shall be clearly marked with the words " Permitted Explosive, to be used only with not less than No. 7 detonator," and also with the name of the manufacturer, the date and place of manufacture, and the nature and proportion of the ingredients.

* 38 & 39 Vict. c. 17: the Orders under that Act are printed under the title " Explosive Substance."

MONEY LENDER.

ORDER OF THE COMMISSIONERS OF INLAND REVENUE DATED SEPTEMBER 11 1900, MADE WITH APPROVAL OF THE TREASURY, AS TO THE AMOUNT OF FEES TO BE PAID UNDER THE MONEY LENDERS ACT, 1900, AND TREASURY ORDER DATED OCTOBER 3, 1900, AS TO THE COLLECTION OF THE SAME BY MEANS OF STAMPS.*

1900. No. 738.

Whereas by Section 3 (1) of the Money Lenders Act, 1900 (63 & 64 Vict. cap. 51), it is provided, among other matters, that the Commissioners of Inland Revenue, subject to the approval of the Treasury, may make regulations respecting the fees to be paid on registration and renewal of registration, not exceeding one pound for each registration or renewal, and respecting the inspection of the register and the fees payable therefor:—

Now we, the undersigned, being two of the said Commissioners, with the approval of the Treasury, do hereby order and direct,—

1. That the fee to be paid in respect of each registration or renewal thereof, whether such renewal shall arise in consequence of the expiration of the statutory period of three years after which registration shall cease to have effect, or in consequence of any change which may be made during that period in respect of name or names, address or addresses, of the person or persons registered or in any other particular, shall be the sum of one pound.
2. That the fee payable for the inspection of each separate return on the register shall be the sum of one shilling. On the payment of this fee of one shilling, together with the stamp duty of one shilling chargeable by law on a certified copy or extract from any public register, any person shall, on demand, be furnished with a certified copy of any registered return.

F. L. Robinson,

Edmund E. Wodehouse,

Two of the Commissioners of Inland Revenue.

Dated the eleventh day of September, 1900.

And whereas by Section 3 of the Public Offices Fees Act,

* Here two Orders were issued together as one Order.

1879,* it is provided that the Treasury may, from time to time, make, and when made, revoke, alter, or add to, regulations for all or any of the following purposes respecting fees in any public office ; that is to say :—

1. Regulating the manner in which the fees taken in money are to be taken, accounted for, and paid over.
2. Determining the use of impressed or adhesive stamps and the mode of cancellation of adhesive stamps.
3. Regulating the use of stamps and prescribing the application thereof to documents from time to time in use, and requiring documents to be used for the purpose of such stamps.

Now we, the undersigned, being two of the Lords Commissioners of Her Majesty's Treasury, do hereby give notice and order and direct that the fees under the Money Lenders Act, 1900, mentioned in the foregoing Order shall be collected by means of stamps and that all such stamps shall be impressed stamps.

The said impressed stamps shall be of such design and character as the Commissioners of Inland Revenue may from time to time adopt for the purpose.

We do further give notice that this Order shall be binding on all officers or persons whom it may in any way affect.

*H. T. Anstruther,
W. H. Fisher,*

Two of the Lords Commissioners of Her Majesty's Treasury.

Dated this 3rd day of October, 1900.

REGULATIONS, DATED OCTOBER 25, 1900, MADE BY THE BOARD OF TRADE AS TO THE EXEMPTION OF BODIES CORPORATE FROM REGISTRATION UNDER THE MONEY LENDERS ACT, 1900.†

1900. No. 804.

Whereas by Section 6 of the above-mentioned Act it is provided that "the expression ' Money Lender ' in this Act

* 42 & 43 Vict. c. 58.

† 63 & 64 Vict. c. 51.

Exemption of Bodies Corporate from Registration. 3

shall include every person whose business is that of money lending, or who advertises or announces himself, or holds himself out in any way as carrying on that business; but shall not include, *inter alia*—

- “(e) Any Body Corporate for the time being exempted from registration under this Act by order of the Board of Trade made and published pursuant to regulations of the Board of Trade.”

Now, therefore, the Board of Trade, in pursuance of the powers vested in them by the above-recited section, do hereby make the following regulations accordingly :—

Regulations.

1. The application for exemption under the above section shall be made on foolscap paper in the Form A hereto annexed, and shall be signed by some responsible officer by and on behalf of the Body Corporate seeking for such exemption.

2. Such application shall be accompanied by—

(a) In the case of a Body Corporate registered under the Companies Acts, a copy of the memorandum and articles of association, and, in other cases, a copy of the charter, deed of settlement, or other document of incorporation, and the regulations governing the rights of members, such copies being certified by some responsible officer of the Body Corporate as true copies.

(b) A Statutory Declaration by a responsible officer of a Body Corporate setting out the nature of the business carried on by the Body Corporate.

(c) A copy of the last balance sheet.

3. The Board of Trade may require, and the Body Corporate (if so required) shall supply, further information by statutory declarations, production of documents, or otherwise, as the Board may think proper, concerning the constitution, objects, and financial position of the Body Corporate, and also concerning the manner in which the said Body Corporate, has carried on the business.

4. The Board of Trade may, if they think fit, require notice of the application to be advertised in such papers as they may prescribe.

5. If, in the opinion of the Board of Trade, the Body Corporate is a proper one for exemption under the Act, the Board will make an order exempting such Body Corporate from registration under the Act upon such conditions and for such period as the Board may think fit. Such Order shall be in the annexed Form B, or in such other form as the Board shall from time to time direct.

6. In the case of a Body Corporate registered under the Companies Acts, the Order shall be signed in quadruplicate by the permanent secretary to the Board of Trade, or by one of the assistant secretaries to the Board, or by such person as may be authorised in that behalf by the president of the Board of Trade. In all other cases such Order shall be signed in triplicate in manner aforesaid. One copy will be retained by the Board, and another copy will be forwarded to the Body Corporate.

7. The Board of Trade will also forward another of such copies to the office provided by the Commissioners of Inland Revenue, as specified in Section 2 of the Act, and, in the case of a Body Corporate registered under the Companies Acts, will forward the remaining copy to the registrar of Joint Stock Companies.

8. The Body Corporate shall forthwith publish a copy of the said Order in the *London* or *Edinburgh* or *Dublin Gazette*, as the case may require, and in such other papers as the Board of Trade may direct.

9. Upon the expiration of the period limited by any Order, the Body Corporate may make a further application for renewal of the Order of exemption, and the Board of Trade may from time to time make further Orders exempting the Body Corporate from registration upon such conditions, and for such further period as the Board may think fit.

10. The Board of Trade may at any time by an order signed in manner provided by regulation numbered 6 hereof revoke any Order of exemption, and shall cause notice of such revocation to be given to the Body Corporate to the Commissioners of Inland Revenue, and in the case of Bodies Corporate registered under the Companies Acts, to the registrar of Joint Stock Companies, and upon such revocation, the Body Corporate shall cease to be exempted from registration under the Money Lenders Act, 1900. The Board of Trade shall also cause a copy of the revoking Order to be published in the *London* or *Edinburgh* or *Dublin Gazette*, as the case may require.

Courtenay Boyle.

Board of Trade,
25th October, 1900.

Exemption of Bodies Corporate from Registration. 5

A.

THE MONEY LENDERS ACT, 1900.

Application for the Exemption of a Body Corporate from Registration under the above-mentioned Act.

I,*
County of
by†

of,
, being duly authorised in that behalf

(*) Here insert name and address and official designation of applicant.

(†) Here insert name and address of Body Corporate.

(‡) Here insert name of Body Corporate.

(§) Here state whether incorporated by Charter, Deed of Settlement or other document of incorporation, or under the Companies Act.

(||) Here state grounds for exemption.

hereby make application to the Board of Trade on behalf of the said‡
being a Body Corporate,
incorporated by§

for an Order exempting the said Body Corporate from registration as a Money Lender, under the provisions of the above-mentioned Act, upon the following grounds|| :—

Dated this day of , 19 .

(Signed)

(Here add official designation.)

To the Secretary,
Board of Trade,
*7, Whitehall Gardens,
London, S.W.

B.

THE MONEY LENDERS ACT, 1900.

Order of Exemption.

In pursuance of the powers conferred upon the Board of Trade by Section 6 (e) of the Money Lenders Act, 1900, the Board of Trade do hereby order that the*
, whose address is*

(*) Here insert full name and address of Body Corporate.

be exempted from registration as a Money Lender under the provisions of the above-mentioned Act for a period of three years from the day of the publication of this Order in the *Gazette*, or until the earlier revocation of this Order by the Board of Trade.

Dated this day of , 19 .

Signed on behalf of the Board of Trade.

Ex J. C. A.
7/27/11

